EXTENSIONS OF REMARKS

THE LENDER AND FIDUCIARY FAIRNESS IN LIABILITY ACT OF 1995

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. UPTON. Mr. Speaker, in the last Congress, I called attention to some of the unintended effects of the Federal Superfund Program. I pointed out that Superfund's draconian liability provisions were undermining job creation in older manufacturing areas by discouraging the redevelopment of previously used industrial sites.

We came close to fixing this problem in H.R. 3800, the Superfund reauthorization bill cleared by the Committees on Commerce and Public Works last year. It did not become law, however, and the distinguished gentleman from Louisiana, Mr. TAUZIN, and I are introducing ''The Lender and Fiduciary Fairness in Liability Act'' today so that no momentum will be lost in the effort to repair this broken program.

Throughout America there are previously used industrial sites lying fallow because lenders and investors are afraid that owning or renting such sites will make them liable for the costs of cleaning up messes they did not make. Under Superfund, owners and operators of property requiring cleanup are assumed to be responsible for contamination found on or in such properties. In some cases, institutions that loaned money for the acquisition of such properties can be held liable, too.

This shadow of liability hanging over previously used industrial properties often makes it impossible to sell property or to secure financing for acquiring and redeveloping it. Potential investors won't invest and lending institutions won't lend so long as Superfund threatens either liability, the loss of collateral value or both.

The safe alternative in such cases is to avoid the previously used ''brownsites'' in central cities and historic manufacturing areas in favor of virginal ''greensites'' far away. It is simply safer to develop a cornfield on the periphery than to redevelop a downtown site. A Michigan State legislator described the net effect of this process thusly: ''Urban devastation, and jobless workers, are left in the cities. With development forced outward, lots of open space and farmland gets gobbled up. There are tremendous public costs to provide new roads and services. And the old urban sites are not cleaned up—they just sit there!''

Mr. Speaker, I doubt that such results were intended by the authors of Superfund. In fact, I doubt that a single Member of this House or the other body even suspected such results when the statute creating Superfund was enacted in 1980 and extensively amended 6 years later. Nonetheless, more than a decade of court decisions and administrative interpretations have brought us to this point. The program is doing more harm than good in much of the country and we have a responsibility to get it back on track.

The bill my distinguished friend and I are introducing this evening addresses the redevelopment of contaminated sites in two ways. First, it shelters from Superfund liability innocent landowners who acquire property subsequently found to be contaminated. Second, it shelters lenders and lending institutions from Superfund liability unless they actively participate in the management of an organization subsequently found liable.

It is important to recognize that neither of these concepts is new. Superfund law currently exempts innocent landowners from liability and shelters lenders via the ''secured creditor exemption.'' The problem is that the law does not provide the executive and judicial branches with sufficient guidance on its implementation. Whether a given party qualifies for the innocent landowner or secured creditor exemption is virtually impossible to determine at the beginning of the process. One must take his or her chances and hope that EPA or the courts will make the appropriate interpretations later in the process. With Superfund cleanups averaging $30 million per site, this simply presents too much risk for potential redevelopers and those who provide the capital they need.

This bill strengthens the existing by clarifying the specific steps a party must take in acquiring and financing previously developed properties. It lets no polluters off the hook. Those who contaminate will be just as liable after passage of this legislation as they are today.

Similar legislation garnered more than 300 cosponsors in the last Congress and became part of a bill reported unanimously by the Committee on Energy and Commerce. I hope my colleagues on both sides of the aisle will join Mr. TAUZIN and me in this effort.

ON THE INTRODUCTION OF THE COMMUNITY SOLVENCY ACT OF 1995

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to introduce the Community Solvency Act of 1995. This bill represents the final product of a year's worth of negotiation and compromise between county and local governments, the waste industry, and the financial community. This legislation, which passed the House in the final hours of the 103d Congress enables communities in financial trouble to continue to treat and dispose of municipal solid waste in an efficient and cost effective manner, while, at the same time, protecting public health and safety and high environmental standards.

While the House was able to take decisive action passing this exact text last year, Senate action was unfortunately obstructed. For this reason, we now revisit this issue and must move swiftly on this bill beginning today.

As my colleagues will recall, local governing bodies nationwide suffered a tremendous blow last May when the Supreme Court ruled in C&A Carbone v Town of Clarkstown, New York that waste flow control authority violates the dormant commerce clause of the Constitution. As Justice Sandra Day O'Connor reminded us in her concurring opinion, Congress has implied that States and localities have this authority, but has never said so explicity.

Communities nationwide have accumulated an outstanding debt of more than $10 billion assuming their ability to use flow control authority, only to have the Court take it away with the Carbone decision. But technologically advanced facilities require more money than many communities can afford. To meet their waste management responsibilities while protecting the environment and public health and safety, communities have turned to bond financing.

These communities have accepted the responsibility of constructing, maintaining, and often operating transfer stations, landfills, waste-to-energy facilities, composting stations, and other solid waste treatment sites. In many cases, these communities have even designed integrated solid waste management plans to meet the full solid waste needs of their residents. We should not punish them for their initiative.

Furthermore, this $10 billion in debt jeopardizes far more than the communities' ability to meet solid waste management responsibilities. In fact, it jeopardizes many of their overall community bond ratings. At least two prominent credit rating agencies—Moody's Investors Service and Duff & Phelps Credit Rating Co.—have already begun the combined reassessment of more than 100 communities' credit standings as a direct result of the Court's decision. Duff & Phelps announced that, ''In its review of this issue, Duff & Phelps Credit Rating Co. found that Congress' inability to take action is triggering greater uncertainty in the solid waste sector and, in the long run, may weaken credit quality of solid waste facilities.''

The debate continues, but the stakes are even higher now. The ultimate consequences of our inability to act decisively will be Orange County-like bankruptcies, higher municipal taxes, and outraged constituents nationwide. It is clearly up to Congress to address and remedy this situation. The Community Solvency Act is precisely the flow control language which the House passed on October 7, 1994. This language was supported by a wide coalition including private sector waste management companies; local government organizations, such as the National Association of Counties, the U.S. Conference of Mayors, and the League of Cities; recycling interests; and Wall Street representatives.

Congress must move a legislative remedy to Carbone swiftly through the committee structure and the floor schedule to ensure financial security to struggling communities in each of our States. I urge my colleagues to take an

active interest in this important issue by cosponsoring this common sense measure—the Community Solvency Act of 1995.

IT IS TIME FOR TRUTH IN VOTING

HON. MICHAEL D. CRAPO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CRAPO. Mr. Speaker, I rise today in support of the toughest and most comprehensive internal reforms in over 50 years in this House. An open Congress is the only way to restore a sense of public confidence in our legislative process. I urge Members on both sides of the aisle to support this Contract for a People's House.

When our constituents recently sent us to Washington as Members of the 104th Congress, they demanded that we change the way business is done. The past 2 years, however, have allowed little room for a more open and accountable process for Members of either party in Congress. What a remarkable opportunity it is then, to bring a breath of fresh air to the current business of the House through reforms of the committee system, House rules, and budget process. We are now making substantial progress in achieving the goal of comprehensive congressional reform that we promised to the American people. Gone are the days of ghost voting by proxy in committee, closed committee meetings that shut out the American people as well as other Members of Congress, and budget numbers that do not honestly reflect increases from year to year. And I am proud to say that the Speaker will institute a program to make the House electronically accessible to everyone. These reforms are just the beginning of a new House.

To supplement the already substantial list of reforms that are being proposed and debated today, I am reintroducing the Truth In Voting Act. Reintroduction of this legislation comes at a critical time now that we have more opportunity to end the manipulative procedures, sham votes, and secret meetings of the old process. This legislation would codify and clarify many of the fine reforms being debated today, and it keeps alive the perennial process of self-examination and reform that brings vitality to representative government. I urge my colleagues to support the Truth In Voting Act, and reforms that will lead this House into the 21st century.

CHILD SUPPORT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, December 7, 1994, into the CONGRESSIONAL RECORD.

CHILD SUPPORT

Many Hoosiers speak to me about the difficulty they have collecting child support. The failure to obtain adequate support from absent parents can place an enormous financial strain on families. Children need a stable family environment in which to grow and thrive, and too many children simply do not receive the support they need. We must insist that parents treat their children responsibly, including their economic needs. Children do best when they have financial as well as emotional support from both parents. Congress will likely address this issue during debate on welfare reform next year.

BACKGROUND

The states generally handle divorce, custody, and child support decisions. In order to obtain child support, the custodial parent must obtain a state court order specifying the amount to be paid by the noncustodial parent.

Collection of that court-ordered support is not always easy. Almost one-quarter of American children grow up in single-parent households, and many of them do not receive financial support from the absent parent. Over 40% of single mothers have no child support order in place and, therefore, no legal right to support. Single parents who do have support orders in place were entitled to a total of $20 billion last year, but received only $13 billion. Furthermore, many families find the support payments inadequate. In 1989, the average child support payment was about $250 per month.

There are several hurdles which make collection of child support difficult. First, noncustodial parents who move frequently can be difficult to locate. Second, if paternity is not established—as is the case in two-thirds of births to unmarried parents—children have no legal claim on their father's income. Third, collection of child support can be difficult or expensive, particularly for the custodial parent who must go to court. Child support can be collected through wage withholding from parents with steady jobs, but those who change jobs frequently or are self-employed sometimes evade traditional enforcement methods. Fourth, there is often confusion about which state's courts have jurisdiction in child support disputes. Over 30% of children live in a different state than their non-custodial parent.

FEDERAL EFFORTS

In 1975, Congress established a cooperative federal-state Child Suppport Enforcement (CSE) program. Welfare recipients are required to participate in the program, and most of the support collected for their children is used by the government for welfare payments. Families not on welfare may receive CSE services for a small fee. The CSE program currently handles about half of all child support cases, and provides a variety of services:

Parent location: The Federal Parent Locator Service uses a variety of government records to locate parents, including information from the Social Security Administration and the IRS. States also conduct searches through their records, including motor vehicle registries and criminal records. In 1993, 4.5 million absent parents were located, an increase of 21% over the year before.

Paternity establishment: Although primarily a state responsibility, the federal government has required states to emphasize establishing paternity for children born out of wedlock. For example, the federal government has required states to have all parties in a contested paternity case submit to a genetic test upon request, and to accept paternity determinations made by other states. Despite these efforts, a paternity establishment remains a weak link in child support enforcement. In 1993, paternity was established for over 550,000 children, a 7% increase from the previous year. However, this left almost three million children still lacking legal identification of their father.

Collection: Most child support is gathered through wage withholding and garnishing federal and state income tax refunds and unemployment compensation. In 1993, $8.9 billion was collected through the CSE program, an increase of 12% over the year before. The amount of child support collected through wage withholding should increase since federal law requires mandatory withholding for all child support orders issued or modified after January 1, 1994.

REFORM PROPOSALS

Improving child support enforcement is primarily a state function, but the federal government can play an important role. Congress has taken steps to improve child support enforcement. It approved measures this year which require states to report parents owing at least two months of child support to consumer credit agencies; designate child support payments priority debts when an individual files for bankruptcy; restrict a state court's ability to modify a child support order issued by another state without the consent of the child and custodial parent; and make parents who fail to pay child support ineligible for federal small business loans.

While plugging these loopholes in the child support enforcement system is useful, it is clear that more comprehensive improvements are needed. First, more emphasis must be placed on identifying fathers of children. Some states have been very successful—up to 85% of the time—while others have been woefully inattentive to this matter. Some propose withholding welfare benefits for children whose paternity is not documented. Second, more effective methods of collecting child support are needed. Some states already require new employees to report their child support obligations to employers so that their payments may be automatically withheld from their paycheck. One suggestion is to make this requirement national through the W-4 tax form. I prefer that the states remain in control, but with support from the federal government in doing those things states are unable to do. The child support system will work better if the laws and procedures are more uniform and less complex.

CONCLUSION

I think that most parents genuinely want to take care of their children, and millions of noncustodial parents do pay their child support fully and regularly. But too many children do not receive adequate support. The federal government can help ensure their parents live up to their obligations. The goal in child support must be to improve the economic security of all children. Our society's failure to consistently demand that parents treat their children responsibly has taken its toll in childhood poverty and welfare dependency.

A TRIBUTE TO JUDITH PISAR AND THE AMERICAN CENTER OF PARIS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SCHUMER. Mr. Speaker, I rise today to call the attention of my colleagues to the achievements of a great American woman, born in the Ninth Congressional District of New York.

Judith Pisar, who was installed last year as a Chevalier of the Legion of Honor of France, has spent more than two decades building cultural bridges between the Americans and the

French as chairman of the American Center of Paris. The American Center, founded 63 years ago, has become the home away from home for the American arts. The physical space, designed by Frank Gehry and reopened last year to acclaim, contains theater and studio space, a visual arts center, a movie theater and lecture hall with classrooms and living space for American artists in residence. But beyond its dimensions it's a place where the best of American culture can be shared with the French. Over the years, Judith Pisar and her colleague Henry Pillsbury have made the American Center in Paris an outstanding venue for artistic, cultural and intellectual dialog between our country and Europe.

Judith, who as I said was born in Brooklyn, studied at Vassar College, New York University, and the Juilliard School of Music before beginning her career in contemporary arts. In 1962, she founded a lecture forum called ''The Composer Speaks,'' bringing distinguished talents to cities and universities nationwide; she served as the administrator of the Merce Cunningham Dance Company and musical director of the Brooklyn Academy of Music. In the early 70's, she joined the American Center in Paris, where she has truly made magic over the years. Following her years of dedicated service as chairman, Mrs. Pisar has retired but will continue to serve the American Center as chairman emeritus.

In appreciation of her achievements, Judith Pisar has been honored in the French Senate by the French Minister of Culture, Jacques Toubon, and by the Vice President of the Senate and former Minister of Foreign Affairs, Maurice Schumann. Her work has also been recognized by President Bill Clinton and Francois Mitterand, President of the French Republic. I will insert into the RECORD messages from these leaders following my remarks.

Finally, I would like to thank my friend John Brademas for bringing Judith Pisar's outstanding achievements to my attention and giving me this opportunity to pay tribute to her fine work.

THE OZARK WILD HORSES PROTECTION ACT

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. EMERSON. Mr. Speaker, I take this opportunity to introduce legislation entitled the ''Ozark Wild Horse Protection Act.'' The substance of this bill relates to a small herd of 30 or so feral horses that roam freely in the Ozark National Scenic Riverways [ONSR] and adjoining lands. Over the course of the past several years, the National Park Service has insisted that the horses must be rounded up and removed from the park lands. They have cited numerous bureaucratic justifications for the roundup with no forethought as to the wide public support from the folks who live and work in the area.

There is simply no explanation as to why the Park Service continues to insist on the horses' removal. I, along with the citizens who have been fighting for this issue, have exhausted all administrative diplomacy. It is unfortunate that a legislative solution barring the removal of the horses is necessary—but I see no reasonable alternative at this point.

These horses are an important part of the Ozark cultural heritage. The residents of this area whose cultural and historical identity is deeply rooted in the Ozark tradition have had their input completely disregarded by an unwieldy bureaucracy. The horses within the scenic riverways are a great tourist attraction and are hurting no one. The bottom line is that the horses should stay.

Mr. Speaker, the Ozark Wild Horse Protection Act will prohibit removal of these horses from the ONSR except in the event of an emergency. The bill states that the Secretary of the Interior may not remove, or allow or assist in the removal of, any free-roaming horse from Federal lands within the boundaries of the Ozark National Scenic Riverways, except in the case of medical emergency or natural disaster.

I have maintained since the beginning of the Park Service's pursuit of the horses that they do, indeed, have the discretionary authority to withhold action and simply leave the horses alone. But since I have been advised by the National Park Service that legislative action is necessary, I am proud to introduce this bill today in the House.

LEGISLATION TO MODIFY THE LAFARGE PROJECT

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. GUNDERSON. Mr. Speaker, today I am reintroducing with Representative PETRI, a measure which would direct the Secretary of the Army to transfer to the State of Wisconsin lands and improvements associated with the LaFarge Dam and Lake project—a Corps of Engineers flood control project initiated in 1962. This legislation would deauthorize the construction of the reservoir and dam, while completing other features of the original project.

On October 3, 1994, the House of Representatives passed the Water Resources and Development Act by a voice vote. This measure incorporated provisions in H.R. 4575 which modified the original LaFarge Dam project and provided the opportunity to lay to rest economic stagnation which has plagued this area for 30 years. Unfortunately, during the closing days of the congressional session the other body did not consider the legislation, thus the measure died when Congress adjourned.

Prior to 1962, the LaFarge area, nestled in the Kickapoo Valley of Wisconsin, was a farm community which suffered from severe flooding each spring. Responding to residents' complaints, the Federal Government promised to correct the flooding problem by constructing a reservoir and dam. For environmental reasons, work was suspended in July 1975, leaving 61 percent of the dam unfinished, while 80 percent of the land was acquired. By 1990, it was estimated that annual losses resulting from the removal of family farms and the unrealized tourism benefits anticipated with the completion of the project totaled over 300 jobs and $8 million for the local economy, further exacerbating poverty in the area.

Recognizing the tragic circumstances in which several generations of families in the area had found themselves, in 1991 Governor Thompson, State Senator Rude, State Representative Johnsrud, and I urged the residents in the Kickapoo Valley to form a Citizens Advisory Committee to initiate a plan for a positive resolution. Governor Thompson appointed Alan Anderson of the University of Wisconsin-Extension as coordinator for the Kickapoo Valley Advisory Committee. The Wisconsin Department of Natural Resources, Department of Transportation, and the State Historical Society provided professional assistance in the spirit of true cooperation. Over a span of 2 years the committee forged a consensus and recommended the establishment of the Kickapoo Valley Reserve.

In the spring of 1994, the State of Wisconsin concurred in its recommendation and the legislature created the Kickapoo Valley Reserve and Governing Board. Having established this entity, the State of Wisconsin is prepared to receive the transfer of land from the Federal Government, pending action by the Congress.

This legislation, which transfers lands associated with the project to the State of Wisconsin, formally terminates, or ''de-authorizes'' the construction of the lake and dam portions of the original authorization. The modification will authorize the $17 million necessary to require the corps to complete two central parts of the original project: finishing the relocation of State Highway 131 and county Highway Routes ''P'' and ''F'', along with the construction of a visitor and education complex, recreational trails, and canoe facilities.

If the original project were to be completed today, the Corps of Engineers estimates the cost would be $102 million. Since the original authorization of the project in 1962, the corps has expended $18 million. Under the legislation introduced today, the Federal responsibility to conclude the original activities would be for $17 million, creating a savings of $66 million to Federal taxpayers.

With the reintroduction of this legislation we bring renewed hope to the people that Government can right a wrong. Thus, I urge my colleagues to pass this legislation. By doing so, we will have seized on a golden opportunity to make a profound difference in the lives of those in the Kickapoo Valley, while sustaining the region's rich environmental surroundings for generations to come.

REPEALING THE O'HARA-McNAMARA SERVICE CONTRACT ACT

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. FAWELL. Mr. Speaker, today I am introducing, with my colleagues Mr. BALLENGER and Mr. BOEHNER, legislation to repeal the O'Hara-McNamara Service Contract Act, otherwise known as the Service Contract Act [SCA]. The Congressional Budget Office estimates that a repeal of this outdated, wasteful, and overly bureaucratic statute will save the taxpayers $3.16 billion over 5 years.

My reasons for introducing this repeal bill are many, but my primary criticism of the SCA is that it, like the Davis-Bacon Act, artificially

increases the cost of Federal Government service contracts and imposes burdensome paperwork requirements on contractors in order to prove compliance with the law. The SCA also presents a number of pragmatic problems which undermine the effective administration of the act.

The SCA covers all contracts with the Federal Government in excess of $2,500 whose primary purpose is to provide services to the Government. Unless specified otherwise, any contract with the Government that is not for construction or supplies is considered a contract for services. Under the terms of the SCA, any service contract entered into by the United States or the District of Columbia must contain certain labor standards, including the payment of locally prevailing wages and fringe benefits. In fiscal year 1992, approximately $19.4 billion in Federal spending was covered by the requirements of the act.

The General Accounting Office [GAO] has outlined a number of shortcomings of the act, including: The inherent problems which exist in its administration; the fact that wage rates and fringe benefits set under it are inflationary to the Government; accurate prevailing wage rate and fringe benefit determinations cannot be made using existing data; the data needed to make accurate determinations would be very costly to develop; and, the Fair Labor Standards Act coupled with implementation of administrative procedures could provide protection for employees the act now covers. The GAO concluded that for ''[the Department] of labor to administer the SCA in a manner that would ensure accurate and equitable service wage determinations would be impractical and very costly, and that the most logical alternative is to repeal the act.''

Furthermore, a number of administrative difficulties have arisen from the broadened scope of the act's application to service employees working under Federal Government contracts. Many categories of workers under the SCA are, for the most part, skilled and highly trained employees whose services are in demand in a highly competitive labor market. They are well-compensated, possess a high degree of job mobility, and thus are not susceptible to wage busting.

Mr. Speaker, as Vice-President Gore stated in his Reinventing Government report, ''[the Service Contract Act] was passed because of valid and well-founded concerns about the welfare of working Americans. But as part of our effort to make the Government's procurement process work more efficiently, we must consider whether these laws are still necessary—and whether the burdens they impose on the procurement system are reasonable ones.'' I have carefully reviewed the requirements and the application of the SCA and I have come to the conclusion that this statute is not necessary and that the burdens it imposes on contractors and the American taxpayer are not reasonable ones. The market is very capable of setting wage and fringe benefit rates and the labor protections in the SCA are available under existing statutes, such as the Fair Labor Standards Act.

Mr. Speaker, as we undertake the tremendous responsibilities of governing in the 104th Congress, and as we attempt to respond to the call of the American people to streamline government and make it work more effectively, repealing the Service Contract Act is a welcome first step, and a significant initiative to make our Government more efficient, responsible, and frugal. I urge my colleagues to join with me in cosponsoring this bill and working for its swift enactment.

WHAT'S THE DIFFERENCE, SMITH MURDERS OR THOSE ABORTED?

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CUNNINGHAM. Mr. Speaker, I wanted to call my colleagues' attention to a recent commentary from the News Reporter of San Marcos in the 51st District of California.

My constituent, D.J. Skinner Ross of San Marcos, raises some interesting questions about the recent tragic double murder of the Smith children in South Carolina. I urge my colleagues to read ''A Question of Murder,'' as it offers a unique perspective on this sad case and on the larger issue of ethics in our society.

Mr. Speaker, I commend ''A Question of Murder'' to the House and ask that it be printed in the CONGRESSIONAL RECORD at this point.

[From the San Marcos News Reporter, Nov. 16, 1994]

WHAT'S THE DIFFERENCE, SMITH MURDERS, OR THOSE ABORTED?

(By Skinner Ross)

I'm a little confused regarding some peoples' stand on murder, specifically the murder of defenseless children.

The nation, perhaps the world, is horrified and incensed over the killings of the little Smith boys. To learn that the killer was their own mother was almost more than all of us could bear. Many were, and still are, threatening to murder her.

Here is where I am confused:

(1) Where are the Women's Rights groups?

(2) Where are the Freedom of Choice groups?

(3) Where is the politically-powerful American Civil Liberties Union?

Mrs. Smith could use your support during this terrifying, lonely time in her life. Mrs. Smith could use some of the ACLU's legal backing.

After all, her side of the story is no different now than it would have been five years and seven or eight months ago . . . or even as recently as 19 or 20 months ago: These babies were interfering with the lifestyle she wished to follow.

They were a nuisance. They were fathered by a man she didn't love. (A little like rape, don't you agree?)

So I ask all the ''rights'' groups, Where are you now?

Before these little boys were given names and toys and birthday parties, you would have pounded your fists on your podiums and shouted obscenities at anyone who would dare to say she did not have the ''right'' to take their ''right to live'' away from them.

Where is your courage to defend her now? Nothing has really changed.

Those little boys' hearts were beating in their mother's womb every bit as strongly as they were in the cold ''womb'' of that car's back seat. Their cries for help would have been as soundless in her womb as they were in that sinking car.

The only difference between this murder and the murder of abortion is the sweet, defenseless babies killed in a mother's womb drown in amnionic fluid. These sweet, defenseless little boys drowned in the fluid of a cold, murky lake.

So I ask, in cases such as these, exactly whose ''rights'' have been wronged?

WHY HEALTH CARE REFORM FAILED

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, October 12, 1994 into the CONGRESSIONAL RECORD.

WHY HEALTH CARE REFORM FAILED

After a long public debate Congress has decided that none of the many health care reform proposals would be considered for final passage this year. Instead, the President and Congress have agreed that health care reform should be addressed during the next Congress which starts in January.

A recent statewide poll showed that health care remains a top concern for many Hoosiers. I have been reviewing the reasons why health care reform efforts failed this year.

First, the health care system itself is complex and so are the proposed reforms. Our system is enormous, representing roughly one-seventh of our nation's economy (or over $1 trillion in spending). The challenges facing our medical system—such as rising costs and a growing number of uninsured Americans—are not easy to solve and require multi-faceted solutions.

Second, the President's proposal, at over 1,300 pages, was too complex. The President tried to do too much—to create a perfect health care system that would be all things to all people. What resulted was a bewildering bill that fanned the public's fears and gave opponents plenty to attack: bureaucratic structures, regulations, taxes, and other hot-button issues.

Third, many of the proposed reforms have never been tried on a national scale, and people preferred the status quo over the unknown. No one is really sure how the various health care proposals would work. Hoosiers became more skeptical as they learned more about health care reform. They began to focus less on the problems facing the health care system and more on the problems with the solutions. Our system has many strengths, and they want to preserve what works well and build on it, rather than supporting reforms which would have unknown consequences.

Fourth, Americans simply do not have a lot of confidence in the capacity of government. Several of the proposed reforms would have increased government bureaucracy, increased government regulation over important issues such as what doctor or hospital people can choose, and increased the level of taxes. People want reform but do not want the government to be the agent of reform.

Fifth, the major interested parties in health care reform—consumers, doctors, hospitals, employers, insurance companies, and taxpayers—have widely different views concerning health care, and successful reform hinges on balancing these competing interests. One thing I heard consistently from Hoosiers was to take more time because a consensus had not yet been reached. They were right.

Sixth, opponents of reform were intense and effective. They spent millions of dollars attacking specific provisions of the reform proposals. Lobbyists for every conceivable

interest that could be affected by health care reform swarmed over Washington. The reporting by the media, which emphasized conflict rather than explanation, also elevated public skepticism about the reform proposals. The end result was that attacks by opponents were many, but responses by proponents were far fewer.

Seventh, Congress did not handle the health care reform debate well. The leaders of Congress supported much more wide-ranging health care changes than the average member of Congress. Congress would not agree on any single comprehensive reform proposal, and only one of the five House and Senate committees which have jurisdiction over health care issues successfully produced a bipartisan bill. Although most members decided early on that they could not support the President's bill, or other comprehensive reform measures, Congress was unable to agree on what incremental reforms to support.

Eighth, outside events slowed the momentum for reform. The economic downturn ended, and the middle class concern over health care subsided. In addition, medical inflation, although still twice the rate of overall inflation, was much lower than the 12% or 15% annual increases from a few years ago.

Finally, all of these factors delayed consideration of health care reform. Time became the enemy of reform. Further delays occurred when the Administration needed nine months to introduce a bill, and the President and Congress were forced several times to delay health care reform in order to consider other issues such as the budget deficit reduction package, NAFTA, or the 1995 budget. These delays constrained the time available for Congress to consider, develop and then pass a bill.

WHAT IS AHEAD

The health care debate of 1994 was useful, if not satisfactory, and at least began to educate the public on health care and to illuminate some of the choices before us. The process of developing a consensus in the country has begun.

I have no doubt that there soon will be another health care debate. The problems facing the medical system are going to get worse and the pressure to act will mount. Medical costs still are increasing at rates two or three times inflation and the number of uninsured Americans is increasing. As these trends continue, more and more people are going to find their benefits cut, their choice of doctor constrained, and their employers putting more of the cost of health care on to them.

I do not believe reform will happen all at once, or in a single bill, nor should it. No bill can solve all the health care system's problems, and probably no bill that tries to do so can pass. I have believed for some time that comprehensive reform is probably not viable and that reform should come incrementally.

One place to start in incremental reform may be to offer health care coverage for every child. An estimated eight million children lack health insurance and some four million more have substantially less than full coverage. Other incremental reforms Congress will consider include managed competition, insurance reforms, malpractice reform, subsidies to lower income working families, and opening the federal employee health benefits plan (which covers government employees and members of Congress) to small businesses and individuals.

THE LANGUAGE OF GOVERNMENT

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. EMERSON. Mr. Speaker, today I am pleased to introduce once again the ''Language of Government Act.'' America is a nation of immigrants. As President Franklin Delano Roosevelt once said, ''All of our people all over this country—except the pure-blooded Indians—are immigrants or descendants of immigrants, including those who came over here on the Mayflower.''

Indeed, we are a diverse lot. We are a country of many peoples, each with an individual cultural heritage and tradition. It is not often that people of so many varying cultures and backgrounds can live together in harmony, for human nature often leads us to resist and fear those who are different from us. Yet despite our differences, we do have a common bond. We have a common tongue, the English language, that connects us to one another and creates our national identity. It is this unity in diversity that defines us as uniquely American.

The time is right for passage of this important, unifying legislation. H.R. 123 offers a balanced, sensible approach to the common language issue. This legislation states that the government has an affirmative obligation to promote the English language, elevating that goal to official capacity. At the same time, the bill seeks to set some common sense parameters on the number and type of government services that will be offered in a language other than English. We do not need nor should we want a full scale multilingual government. But, if we do not address this issue in a forward-thinking, proactive manner, that is just what we would allow to develop.

I want to stress that the ''Language of Government Act'' is not ''English only.'' It simply states that English is the language in which all official United States Government business will be conducted. We have an obligation to ensure that non-English speaking citizens get the chance to learn English so they can prosper—and fully partake of all the economic, social, and political opportunities that exist in this great country of ours.

The late Senator Hayakawa, founder of this movement, was a prolific writer and I offer you one of my favorite quotes of his:

> America is an open society—more open that any other in the world. People of every race, of every color, of every culture are welcomed here to create a new life for themselves and their families. And what do these people who enter into the American mainstream have in common? English, our shared, common language.

As Americans, we should not remain strangers to each other, but must use our common language to develop a fundamental and open means of communication and to break down artificial language barriers. By preserving the bond of a unifying language in government, this nation of immigrants can become a stronger and more unified country.

THE DERIVATIVES SAFETY AND SOUNDNESS SUPERVISION ACT OF 1995

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. GONZALEZ. Mr. Speaker, today I introduce the Derivatives Safety and Soundness Supervision Act of 1995. This legislation promotes regulatory oversight and coordination, and calls for greater disclosure of the derivatives activities of all types of financial institutions. In recognition of the global nature of the derivatives market, the legislation also requires the United States to take a lead role in promoting international cooperation on derivatives regulation.

The legislation is nearly identical to H.R. 4503, which I introduced with Congressman, now Chairman LEACH last year. At that time—May, 1994—I said ''In order to protect taxpayers * * *, the Congress must ensure that the regulators fully understand the individual and systemic risks posed by derivatives and ensure that they are aggressively supervising and regulating financial institution derivatives activities.'' That legislation did not go anywhere, due in part to the Treasury Department and bank regulatory agencies claims that legislation was not necessary, and in part to the exigencies of a congressional election year schedule.

Events of the past 8 months indicate that legislation is needed now more than ever. Bankrupt Orange County, CA, has lost at least $2 billion, much of which is attributable to its derivatives holdings. And Orange County isn't the only municipality in trouble—losses caused by risky investments in towns, cities, and counties throughout the country are coming to light. BT Securities, the securities affiliate of Bankers Trust, one of the world's largest derivatives dealers, was found by the Securities and Exchange Commission and the Commodity Futures Trading Commission to have violated the reporting and antifraud provisions of the Federal securities laws in connection with derivatives it sold to its customer, Gibson Greetings, Inc. The SEC and CFTC orders require BT Securities to pay a $10 million civil penalty. Reports of financial losses at banks due to derivatives and other interest rate sensitive investments continue, and the bank regulators recently backed away from requiring true market value accounting which would reveal those losses. In light of these events, it would be irresponsible for the Congress to avoid legislation.

The legislation covers all financial entities—depository institutions, their affiliates and holding companies, Government-sponsored enterprises, Federal home loan banks, securities firms, and insurance companies. This broadened scope is necessary given the systemic risks that derivatives pose to our financial system generally and the need by customers and the marketplace for consistent and full disclosure. All regulators—bank regulators, SEC, CFTC, and Treasury must work together under the bill in adopting similar regulatory standards, reporting requirements, and disclosure. This regulatory coordination will provide increased customer protection as well as promote a stronger and safer derivatives marketplace. Of course, since banks are the biggest

players in the derivatives market, it is fitting that the bank regulators take the lead, and the Banking Committee serve as the committee of primary jurisdiction, in the derivatives area.

In responding to those who argue that legislation is not necessary, I remind them of the history of the Government securities market. When adopting the securities laws in the 1930's, Congress exempted Government securities from most regulation based on the financial sophistication and institutional nature of most customers, the low degree of risk posed by Government securities, and the perceived absence of market manipulation or fraud. Although bank dealers were generally subject to supervision and regulation by the bank regulators, and securities firms that dealt in nonexempt securities as well as Government securities were subject to supervision and regulation by the SEC, nonbank dealers who traded only in Government securities were not subject to any direct regulatory oversight. The failure of several of the unregulated Government securities dealers in the early 1980's—and the subsequent losses born by investors—prompted passage of the Government Securities Act. The Government Securities Act, rather than creating a separate agency to enforce the new regulations, relied on the existing regulatory structure when assigning oversight responsibility. This Act brought regulatory and oversight accountability to the Government securities market, clearly improving the market and protecting investors.

There are many similarities between the pre-1986 Government securities market and today's derivatives markets. The Derivatives Safety and Soundness Supervision Act of 1995 seeks to replicate the success of the GSA by imposing regulatory accountability, and recognizes the uniquely global nature of the derivatives market by promoting international cooperation. I look forward to working with Chairman LEACH and other members of the Banking Committee on this legislation in the 104th Congress.

TRIBUTE TO COL. RANDY RIHNER, USAF

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HUNTER. Mr. Speaker, a friend of the Congress and a staunch advocate of U.S. national security is retiring from the U.S. Air Force on February 28 of this year. His name is Lt. Col. Randy Rihner, USAF.

Colonel Rihner has had a distinguished 22-year military career, which included service as a rated navigator and electronic warfare officer with operational experience in the B–52 heavy bomber. He also taught at the Electronic Warfare School at Mather Air Force Base, in my home State of California, and is a distinguished graduate of the Air Force Instructor School. He was selected for career broadening in the much sought after Education With Industry Program and worked acquisition programs for the Air Force.

For the last 4 years, Colonel Rihner has served in the Secretary of the Air Force's Office of Legislative Liaison, with primary responsibility for long-range power projection forces. Colonel Rihner was tireless in his efforts to ensure the Congress received timely and accurate information on which to base its decisions about the future of various major defense programs, including the B–2 Stealth bomber and other weapon systems.

Colonel Rihner has received numerous awards and commendations, including most recently the Meritorious Service Medal, second Oak Leaf Cluster, which is reprinted below.

Randy plans to remain in the Washington area in order to teach science to elementary and middle school students. On behalf of my colleagues and the staff on the House National Security Committee, we wish Randy and his wife Roberta the very best.

CITATION TO ACCOMPANY THE AWARD OF MERITORIOUS SERVICE MEDAL, SECOND OAK LEAF CLUSTER, TO RANDOLPH R. RIHNER

Lieutenant Colonel Randolph R. Rihner distinguished himself in the performance of outstanding service to the United States as Chief, Strategic Air Branch, and Chief, Long Range Power Projection Branch, Weapons Systems Liaison Division, Office of Legislative Liaison, Office of the Secretary of the Air Force, the Pentagon, Washington, District of Columbia, from 28 August 1989 to 28 February 1995. During this period, he made major contributions to the Air Force Long Range Power Projection Programs. Colonel Rihner planned and executed Air Force Stealth Week, a highly successful static display attended by the President and Members of Congress, enhancing support for stealth technology. He ensured the Congressionally directed B–1 Operational Readiness Assessment was drafted with reasonable terms setting the stage for the aircraft's outstanding test results and promising future. Due to Colonel Rihner's personal involvement in legislative activity, Air Force bomber programs remained on track. The singularly distinctive accomplishments of Lieutenant Colonel Rihner culminate a distinguished career in the service of his country and reflect great credit upon himself and the United States Air Force.

RULES PACKAGE/MEMORANDUM OF UNDERSTANDING

HON. JOHN R. KASICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. KASICH. Mr. Speaker, I rise in support of the Rules package and wish to take this opportunity to thank my colleagues on the Committee on Rules and the Committee on Oversight and Reform for their cooperation in providing the Committee on the Budget legislative jurisdiction in the area of the budget process reform. I submit today the following Memorandum of Understanding between the distinguished chairman of the Committee on Rules, GERALD B.H. SOLOMON, and I on the intent of subparagraph (1)(d)(3) as it pertains to the Committee on Rules and the Committee on the Budget. The distinguished chairman of the Committee on Government Reform, and Oversight, WILLIAM F. CLINGER, shall submit a similar Memorandum of Understanding on budget process reform as it pertains to the Committee on Government Reform and Oversight and the Committee on the Budget.

STATEMENT OF UNDERSTANDING BETWEEN THE COMMITTEE ON THE BUDGET AND THE COMMITTEE ON RULES ON JURISDICTION OVER THE CONGRESSIONAL BUDGET PROCESS

HOUSE OF REPRESENTATIVES,
Washington, DC.

This statement addresses the intent of subparagraph (1)(d)(3) as it pertains to the Committee on the Budget and the Committee on Rules.

Subparagraph (1)(d)(3) relating to the Congressional Budget process is intended to provide the Committee on the Budget primary jurisdiction over budgetary terminology and the discretionary spending limits that are set forth in the Congressional Budget Act. It is also understood that the Committee on the Budget shall have secondary jurisdiction over the other elements of the Congressional budget process that are under the primary jurisdiction of the Committee on Rules. Such jurisdiction shall include the budget timetable, the budget resolution and its report, committee allocations, the reconciliation process, and related enforcement procedures. It is understood that the Committee on Rules will remain the Committee of primary jurisdiction over all aspects of the Congressional budget process that are within the joint rule-making authority of Congress except for budgetary terminology and the discretionary spending limits.

GERALD B.H. SOLOMON,
Chairman, Committee on Rules.
JOHN R. KASICH,
Chairman, Committee on the Budget.

CONGRATULATIONS AND THANKS TO SHERIFF COIS BYRD

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CALVERT. Mr. Speaker, on December 14, 1994, Sheriff Cois Byrd officially retired as the sheriff of Riverside County, CA. His commitment to law enforcement and the professional manner in which he ran his department for 8 years after being elected Riverside's sheriff in November 1986 will be missed by all of us who have had the opportunity to work with him—and by all law-abiding citizens of the county.

During his tenure as our sheriff, Cois Byrd epitomized what it means to be a professional in the increasingly complex field of law enforcement. Since first being hired as a deputy sheriff in 1959—after returning to Riverside from 3 years with the Fleet Marines/Pacific—Cois Byrd worked hard to keep up with the latest techniques in fighting crime. During his tenure as sheriff, his department grew from some 1,250 employees to more than 2,000 deputies and civilians operating out of more than 25 offices, stations, and detention facilities. By working cooperatively with the county's board of supervisors, Sheriff Byrd was able to develop a population-driven growth formula for patrol operations. This formula has helped increase the sheriff's staff/population ratio so that the department can keep up with the growing demands for law enforcement in an increasingly urban environment.

Cois Byrd has also made his mark in law enforcement at the State level. He was an active member of the California Sheriff's Association, serving as a member of the executive

board and as the associate treasurer, and he served as the training committee chairman and as a member of the advisory committee for the California Commission on Peace Officers' Standards and Training.

Locally, the sheriff was instrumental in guiding county policy for the development of the Southwest Justice Center, including a jail and sheriff's station. In September 1989, Sheriff Byrd officially opened the Robert Presley Detention Center, which was the first major correctional facility constructed in the county in 50 years. The project came in on time and under budget, demonstrating the tight-fisted budgeting and fiscal conservatism that Cois Byrd always practiced as our sheriff.

But, perhaps more important than his expertise at working with the board of supervisors, State law enforcement organizations, and other community groups, or even his superb management skills, what made Cois Byrd such an outstanding sheriff was his ability to motivate his deputies and other department staff. In spite of the rapid growth of the sheriff's department, Cois always made it a practice to personally meet each graduating class of deputies from every training academy—and, he maintained a good, close working relationship with the civilian employees.

While building one of the largest and most respected sheriff's departments in the Nation, Cois also found time to participate in numerous civic activities, including serving faithfully as a volunteer for the Boy Scouts and sponsoring an explorer program. While we will miss Cois as our sheriff, we are delighted that he will continue to provide his law enforcement expertise at the Crime Control Technology Center at the University of California, Riverside, school of engineering. And, we are especially grateful that he and his wife, Evelyn, will remain in our community.

It is a great pleasure for me, on behalf of the citizens of California's 43d Congressional District, to congratulate and thank Sheriff Cois Byrd for many years of dedicated service to the Riverside County Sheriff's Department and to wish Cois and Evelyn continued good health and happiness, and much success in their new endeavors.

MENTAL HEALTH

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, Nov. 2, 1994 into the CONGRESSIONAL RECORD.

MENTAL HEALTH

One challenge facing our country is improving mental health care. Fewer than 40% of those who have ever suffered from a mental disorder received treatment, despite significant progress in developing successful remedies. The federal government devotes resources to research and treatment.

What is mental illness? Mental disorders have intertwined biological, psychological and environmental roots. Many tend to recur throughout a person's lifetime. Most mental illness (other than alcohol or drug abuse) fall into one of three categories:

Mood disorders—While everyone has changes in mood, some people experience periodic disturbances, the most common of which is depression. Persons with major depression have a persistent feeling of sadness, often accompanied by insomnia, intense guilt feelings, or recurrent thoughts of death or suicide.

The other major mood disorder is manic-depressive illness, in which people alternately experience periods of extreme euphoria and major depression. The manic phase of the disease may be marked by hyperactivity, irritability, decreased need for sleep, and loss of self-control and judgment.

Anxiety disorders—Fear and avoidance behavior are the characteristic symptoms of these disorders. A person with panic disorder has sudden, recurring attacks involving an irrational sense of imminent danger accompanied by physical symptoms such as heart palpitations and shortness of breath. Obsessive-compulsive disorder involves repeated, intrusive, unwanted thoughts that cause distress and anxiety, often accompanied by a compulsive ritual, such as hand-washing or cleaning.

Schizophrenic disorders—Persons with schizophrenia do not have multiple personalities. One of the most debilitating mental illnesses known, schizophrenia is characterized by distorted thinking, delusions, hallucinations, and withdrawal from the outside world.

Who suffers from mental illness? Recent studies found that 28 percent of adults will suffer a mental disorder in any one year; five percent of them a severe disorder. Almost a third of adults will have a mental illness during their lifetime. While the overall rates of major mental disorders do not differ for women and men, some are more common in one or the other. Mental illness can strike at any age.

How are mental illnesses treated? Treatment may include medication, psychotherapy, hospitalization, or a combination of these. Recent research has yielded discoveries of several new drugs to treat mental illnesses. Today, most who suffer from severe mental disorders can be treated successfully.

What is the cost of mental illnesses to the nation? In 1991, the cost totaled just over $136 billion (not including alcohol and drug abuse). The biggest cost associated with mental illness is lost productivity. This is true in part because mental illness often strikes people at the beginning of their working years, in part because many people with mental disorders do not get treatment.

What is the federal government's role in mental health care? The federal government plays a major role in research into causes and treatments of mental disorders, primarily through the National Institutes of Mental Health, Drug Abuse, and Alcohol and Alcoholism. Congress has provided $1.3 billion for these efforts in 1995. In addition, the federal government will provide $2.1 billion in 1995 for mental health treatment and substance abuse prevention.

Congress has also established specific programs for providing mental health services to homeless individuals. An estimated one-third of the homeless population in the U.S. suffers from serious mental illnesses, and 30 to 60 percent of the homeless mentally ill also are substance abusers.

While it did not receive as much attention as other aspects of the health care reform debate, discussion was given to expanding mental health coverage. Most private health insurance plans do not offer identical coverage for mental illnesses and other ailments, nor does Medicare. For example, almost 80% of large- and medium-sized businesses which provide health insurance had more restrictive hospital coverage. Many plans put lower limits on lifetime expenses and outpatient coverage.

Critics of expanding coverage for mental disorders argue that they lack clear diagnostic criteria, potentially leading to coverage for almost any problem. They believe that too much money would be spent treating the so-called ''worried well,'' who are not in serious need of help. They also assert that mental illnesses often cannot be treated effectively.

Advocates for expanded coverage assert that mental illnesses are as definable, diagnosable, and treatable as other disorders. They also contend that the lack of private insurance coverage puts an unfair burden on the public, which currently pays for over half of all mental health treatment. Finally, they argue that the cost of not providing adequate mental health care coverage is ultimately higher than providing it.

It is hard to determine what shape the health care debate will take next year, but the issue of mental health coverage will not go away. I believe we must work toward a health care system that provides adequate mental health and substance abuse services. This will not come easily or cheaply. Both private and public health care plans should phase in coverage, allowing time to develop the capacity to deliver and manage a more comprehensive mental health and substance abuse benefit. Eventually these plans must include treatment in a variety of environments, ranging from inpatient hospital to community and residential treatment. States must be given wide flexibility to promote and encourage these plans. I do not underestimate the difficulty of this task, but neither do I find acceptable the view that because of the problems we should exclude coverage for the mentally ill.

In addition, the federal government should continue to support research and treatment that can return mentally ill individuals to healthy, productive lives.

IT IS TIME FOR THE SOCIAL SECURITY EARNINGS TEST TO GO

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. EMERSON. Mr. Speaker, America has always stood as a shining example of opportunity for the rest of the world. But today, in the United States, opportunity for senior citizens is severely limited.

Fifty-nine years ago, when the Social Security System was launched, unemployment was as high as 25 percent. The earnings test of the Social Security Act was a conscious attempt by Congress to discourage the elderly from working and thus create jobs for younger Americans.

Times have changed dramatically since the 1930's, and as we head toward the 21st century it seems only just that Congress change this discriminatory policy. In the 102d Congress, the House of Representatives passed a version of the earnings limitation repeal. To my dismay, this provision was later stripped from the legislation.

It is now up to the 104th Congress to finish the work. The Contract With America, which the public overwhelmingly endorsed in the November elections, includes a repeal of the Social Security earnings test. The public support is clear, and I urge my colleagues to make this the year we stop penalizing the work of seniors with some of our country's highest

marginal tax rates ever imposed on middle-income Americans.

COMMEMORATION IN ISRAEL MARKS THE 20TH ANNIVERSARY OF THE JACKSON-VANIK AMENDMENT

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. DICKS. Mr. Speaker, this year marks the 20th anniversary of the Jackson-Vanik amendment to the Trade bill of 1974. The amendment made history by linking most favored nation trading status to free emigration from nonmarket economies. The purpose of the amendment was to spur the former Soviet Union to ease emigration for Soviet Jews during the cold war. The Jackson-Vanik amendment was instrumental in allowing hundreds of thousands of Jews and other Soviet citizens to leave the U.S.S.R. to experience the freedom and security of life in Israel and the United States.

The Henry M. Jackson Foundation, in conjunction with the American Enterprise Institute, Hebrew University, the Zionist Forum, and the Jerusalem Post, is sponsoring a conference in Jerusalem this week, on January 8–10, 1995, to commemorate the anniversary of this legislation. The Boeing Corp. and Manro Haydan Trading of London are founding corporate sponsors. The conference will pay special tribute to Senator Henry M. ''Scoop'' Jackson, recognizing his lifelong work on human rights and his successful efforts to secure the right of emigration throughout the Eastern bloc. Human rights veterans such as Natan Sharansky and Elena Bonner, widow of Nobel Laureate Andred Sakharov, will join Prime Minister Yitzhak Rabin and Likud Chairman Benjamin Netanyahu, and other major political figures at this international event. Sessions at the conference will address the historical and contemporary significance of the amendment and assess the current status of Russian Jews in the former Soviet Union.

I hope that my colleagues will mark this important anniversary as a reminder of our former colleague, Senator Scoop Jackson, and his vital role two decades ago in helping to secure human rights and freedom for thousands of citizens trapped behind the Iron Curtain.

IN PRAISE OF HOWARD YERUSALIM, RETIRING PENNSYLVANIA SECRETARY OF TRANSPORTATION

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SHUSTER. Mr. Speaker, today I rise to pay tribute to an individual who has an attachment to his native State of Pennsylvania that is as enduring as it is remarkable.

We often talk about men and women, Mr. Speaker, who leave their mark on their communities. We often mean this in a figurative way. But I want to recognize a man who has quite literally left his mark on the landscape of the Keystone State—the retiring Secretary of Transportation, Howard Yerusalim.

Howard and I have two important things in common. We both are native Pennsylvanians, and we both have viewed transportation as an organizing principle for the State and national economy.

Howard is an engineer by birth and training, and he has built upon this foundation. Indeed, he has combined two remarkable elements. First, he has had a visionary ability to look at the vast State of Pennsylvania and understand its many present and future transportation needs. At the same time, he has the knack of translating these visionary plans into simple blueprints and then taking these blueprints and translating them into the nitty gritty of steel rods and asphalt. There are many people in the transportation industry who are good at one of these endeavors. Howard has been extremely able in both.

He understands roads, rails, and runways and he has the management skills to complement this knowledge. A list of his achievements and awards would fill these pages. But, I am particularly impressed by his selection as one of the Nation's top ten public works leaders for 1992 by The American Public Works Association, and his tenure as president of the American Association of State Highway and Transportation Officials for 1994.

It seems, Mr. Speaker, that everyone in the transportation industry knows Howard, and everyone has their favorite moment involving him. My favorite concerns the time when he and I worked on the historic Intermodal Surface Transportation Efficiency Act of 1991. I was in constant contact with Howard, relying heavily upon his counsel on many major issues covered by the bill. Most of all, he provided me with an honest interpretation of how provisions in the bill would work in actual practice.

Great men and women rise to their potential. It was Pennsylvania's great fortune that Howard came to PennDOT in 1968 and rose through the ranks to become its chief. As I've said in the past Howard Yerusalim is a capable and reliable advocate for public works expenditures and has earned my respect through his dedication and commitment to integrity in public service.

Mr. Speaker, transportation is the lifeblood of our communities, our Commonwealth, and our Nation, and yet it is often taken for granted—as are the individuals who plan, design, and build it, and thus leave their mark on the landscape. In many ways, Howard Yerusalim is one of those individuals. And yet, through his leadership, Pennsylvania has developed—and continues to develop—a first-rate transportation system, a system which breathes life into our economy, and into our daily lives.

LEGISLATION TO ASSIST CALIFORNIA TOURISM

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Ms. HARMAN. Mr. Speaker, 2 years ago, Representative Lynn Schenk and I were both elected to the 103d Congress from districts hard hit by defense downsizing and the effects of a lingering recession. During her 2 years in this body, Representative SCHENK fought time and time again for California's workers and on behalf of California's tourism industry.

Mr. Speaker, I rise today to continue Congresswoman Schenk's efforts to help California's tourism businesses by reintroducing her cruise ship legislation to close a loophole in Federal law through which California loses an estimated $82 million annually. This issue is one of great concern to businesses in Representative Schenk's San Diego district and to those that I represent in San Pedro and on Catalina Island. According to Catalina's Chamber of Commerce, the city of Avalon itself loses $1.5 million annually in canceled port visits because of the existing loophole.

Currently under the Federal Johnson Act, a cruise ship that makes an intrastate stop is subject to State law even if that ship travels in international waters and is destined for another State or foreign country. In order to prevent the spread of gambling on the mainland, California currently prohibits gambling on cruise ships which make multiple stops in the State.

The legislation which I reintroduce today would allow gambling to continue on internationally bound cruises, and would not cause mainland gambling to uncontrollably expand. My bill would amend the Johnson Act to allow Federal control over voyages that begin and end in the same State as long as those stops are part of a voyage to another State or foreign country which is reached within 3 days of the start of the voyage. The legislation reflects a hard-fought compromise reached last year with Senator DANIEL INOUYE by explicitly excluding the State of Hawaii.

Mr. Speaker, the legislation which I offer today will provide a much needed shot-in-the-arm to tourism in California. This issue is by no means partisan. Gov. Pete Wilson enthusiastically supported this legislation last year. On behalf of Representative Schenk, I urge the House to act swiftly in approving this measure.

COORDINATOR FOR COUNTER-TERRORISM BILL, H.R. 22

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. GILMAN. Mr. Speaker, today I introduce H.R. 22, a bill to preserve the coordinator for Counter-Terrorism Office at the State Department. I was pleased that during the 103d Congress, we were able to enact into law my amendment to the State Department authorization bill to at least temporarily reverse the proposed reorganization plan that would have eliminated the Office of the Coordinator for Counter-Terrorism. That very important and high level, as well as independent office, was first established during the Reagan era as a response to international terrorism, and it reported directly to the Secretary of State. The office faced the cutting-room knife as the new administration began in 1993, when it was planned to be merged into an office responsible for narcotics and international crime as well.

The State Department is the lead U.S. agency in the battle against international terrorism; it is inconceivable in this day and age of a renewed threat from terrorism, both at home and abroad, not to have this high level, independent, and single function office maintained permanently in place. Observers at the heritage foundation, and other renowned experts in the counter-terrorism field, have hailed the efforts to save that important counter-terrorism office in the 103d Congress. Many have urged that we do so again in this Congress.

I led the preservation fight for that critical State Department counter-terrorism office's existence last year; I will do so again this year along with many of my colleagues, who recognize what the real threat from terrorism is in today's uncertain world of ours.

My bipartisan amendment in the 103d Congress helped us to maintain a permanent statutory office at least temporarily, with the lead role in U.S. international counter-terrorism efforts. The position was maintained at the high visibility equivalent to the Assistant Secretary level in the State Department, reporting directly to the Secretary along with the same functions and responsibilities it had as of January 20, 1993.

I was especially pleased to have the gentleman from New York [Mr. NADLER] who represents Lower Manhattan, the site of the 1993 World Trade Center terrorist bombing, join me, along with the gentlewoman from New York [Ms. MOLINARI], the gentleman from New Jersey [Mr. SAXTON], along with many others in the 103d Congress, to help prevent the ill-advised planned elimination of that office through merger.

I am hopeful that this proposal will not be objected to by the administration again in the 104th Congress. However, we cannot take any chances. So unless we act and send a clear signal before April 30, 1995, when my current amendment's statutory authority to keep this office in existence expires, that vital counter-terrorism office could disappear from the U.S. Government's structure and vehicle for responding to the threat of international terrorism.

The U.S. State Department is the lead agency against terrorism overseas, while the FBI has the lead domestic role here at home. Both have done a good job, and they need all of our support and encouragement, and certainly not any diminution of our visible commitment to fighting this scourge, especially now.

Unless we act prior to April 30, 1995, the State Department's counter-terrorism office, and the critical and important function it plays, could very well still be relegated to a mid-level Deputy Assistant Secretary in a multiple function office, responsible for narcotics, terrorism, and international crime.

The international narcotics function alone, as we know, could easily consume the proposed new multifunction bureau's Assistant Secretary's entire time, focus, and attention.

In fact, in the 103d Congress the battle against drugs, especially overseas did not go well. For example, the State Department's international narcotics matter [INM] budget was cut by one-third. In addition, we had the disastrous aerial drug trafficking intelligence sharing cutoff with source countries Peru and Colombia over a questionable legal opinion many view, including President Clinton himself as he said on December 9, as ''nutty.''

The damage from that shootdown policy debacle in these two key source nations on our international struggle against narcotics, will take years to undo. We also saw during the 103d Congress, that drug use is on the rise for the first time since the Carter era.

Let us be thankful, that we didn't let the administration do for international terrorism, what they have done for the war against drugs in the last 2 years.

The United States witnessed an increased level of international terrorism directed at American political leaders, citizens, their property, and their very safety and security now even here at home. For example in 1993, we had the New York World Trade Center bombing, which took six American lives—one a constituent of mine—injured 1,000 people and cost over $600 million in property damage and business disruption; never mind the incalculable psychological damage to America's sense of internal security.

We also had the terrorist plots uncovered against commuter tunnels, Government facilities, and political leaders in New York City as well in 1993. In 1994, we had the deadly terrorist attacks in the Middle East, Panama, Argentina, North Africa, Europe, and other spots around the globe. Terrorism hasn't gone away in the post-cold-war era, despite the hopes of many, and the naivete of some.

In light of these events, and the developing new loosely knit terrorist groups, and other forces promoting terrorism around the globe, this is not the time for America to be lowering its guard against the horrors and threats from international terrorism.

We must make international terrorism a high level national priority in our foreign policy agenda, and as part of our Government's permanent planning and response structure.

The proposed State Department downgrading of the counter-terrorism function would send the wrong signal at the wrong time, both to friends and foes alike, around the globe. Former career Ambassador at Large for Counter-Terrorism Paul Bremer, an expert in this area, said it best when he told the 103d Congress:

* * * I am disappointed, indeed, dismayed by the administration's decision to downgrade the bureaucratic level of the State Department's office for combatting terrorism. It seems to me this will not only make interagency coordination more difficult and problematic in our Government, but will make us much less effective when we go to our allies or to state sponsors and ask them for help. In my experience, *other governments are not often persuaded by importuning Deputy Assistant Secretaries* (emphasis added).

The bill I am introducing today would make permanent what the 103d Congress did temporarily in preserving the Counter-Terrorism Office at the U.S. State Department reporting directly to the Secretary of State. In addition it will elevate the position of coordinator in that Office to an Ambassador at Large in an effort to even further increase the Office's clout, both overseas and within the U.S. Government bureaucracy.

I am pleased that my colleague and friend from New York, Senator D'AMATO will introduce a similar bill in the other body. The New York congressional delegation, because of the World Trade Center bombing, has a particular interest and understanding regarding what is at stake when America might mistakenly lower its guard against the terrorist threat, either at home, or abroad.

These bills being introduced here in the House and the other body, make it clear there can be no retreat from the struggle against terrorism. Let us today go firmly on the record against diminishing the U.S. response to international terrorism. I urge my colleagues to join in support of this proposal before the April 30, 1995, expiration date on the current life of the Coordinator for Counter-Terrorism Office at the U.S. State Department.

Now is the time we must permanently authorize the Coordinator's Office and its bureaucratic survival in order to guarantee an aggressive and tough U.S. counter-terrorism policy. We will then anticipate and expect a no-nonsense aggressive policy from this high level independent office we are empowering to undertake this important responsibility on behalf of our national interest. Nothing less will be expected from the Coordinator's Office once it's status and survival is resolved.

I request permission to enter into the RECORD a letter I received last year from world renowned author, Claire Sterling, who has written extensively, and is an expert on international crime, terrorism, narcotics, and knows of what she speaks.

Her letter destroys the arguments of those who have said that the terrorism and drugs efforts at the State Department needed to be merged, as the administration tried last Congress. I cannot add to her cogent, clear, and persuasive arguments in favor of my position against such a merger. The letter speaks for itself, and I urge my colleagues to read her persuasive arguments as well, and join me in preventing a major mistake from being made in America's struggle against international terrorism.

Accordingly, I urge my colleagues to join in support of this proposal before the April 30, 1995 expiration date on the current life of the Coordinator for Counter-Terrorism Office at the U.S. State Department. I request that the full text of this measure be inserted at this point in the RECORD.

AUGUST 12. 1994.

Congressman BENJAMIN A. GILMAN,
Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR CONGRESSMAN GILMAN: As I have been travelling for the past month, it is only now that I have been able to catch up with your letter of July 13.

I willingly add my voice to those who oppose the State Department's proposal to merge its Counterterrorism Office into the Bureau of International Narcotics Matters. Indeed, the proposal seems to go against all logic.

It is true that the paths of certain international terrorist groups and narcotraffickers cross occasionally, where such terrorists rely on drug money to help finance their operations. But that is essentially a marginal part of these two altogether distinct and equally insidious problems. The fact that both are of global proportions certainly doesn't mean they can be dealt with as one.

The world has made enormous progress in containing terrorism since the U.S. took the lead in developing international channels for the exchange of intelligence information and operational collaboration. The knowledge and expertise, the mechanisms, the international relationships that have come of this are highly specialized—unique. The entire pattern for fighting the global drug trade is different.

Should the merger be approved, the fight against terrorism is bound to be downgraded, diminished, subordinated to a war on narcotics that has understandably become a matter of obsessive international concern. Such a shift in our attention and resources would seem to me senseless, dangerous and destructive.

Sincerely,

CLAIRE STERLING.

H.R. 22

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COORDINATOR FOR COUNTER-TERRORISM.

(a) ESTABLISHMENT.—There shall be within the office of the Secretary of State a Coordinator for Counter-Terrorism (hereafter in this section referred to as the ''Coordinator'') who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) RESPONSIBILITIES.—(1) The Coordinator shall perform such duties and exercise such power as the Secretary of State shall prescribe.

(2) The Coordinator shall have as his principal duty the overall supervision (including policy oversight of resources) of international counterterrorism activities. The Coordinator shall be the principal advisor to the Secretary of State on international counterterrorism matters. The Coordinator shall be the principal counterterrorism official within the senior management of the Department of State and report directly to the Secretary of State.

(c) RANK AND STATUS.—The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.

(d) DIPLOMATIC PROTOCOL.—For purposes of diplomatic protocol among officers of the Department of State, the Coordinator shall take precedence after the Secretary of State, the Deputy Secretary of State, and the Under Secretaries of State and shall take precedence among the Assistant Secretaries of State in the order prescribed by the Secretary of State.

LEGISLATIVE REORGANIZATION ACT OF 1995

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, today I am introducing the Legislative Reorganization Act of 1995, which contains those reform proposals recommended by the Joint Committee on the Organization of Congress that have not yet received full consideration by the House of Representatives.

As you know, the Joint Committee on the Organization of Congress, cochaired by myself and Congressman DAVID DREIER, was created by Congress in August 1992 with a mandate to conduct a comprehensive study of the internal operations of Congress and provide recommendations for reform by the end of 1993. The panel completed its task, and in 1994 the House did pass one of its major recommendations—requiring the House to live under the same laws it applies to the private sector.

Unfortunately, the remainder of the joint committee's reform plan was not considered by the full House during the 103d Congress.

However, today many of the joint committee's recommendations—fully or in part—will be adopted by the House, including proposals to: Again apply private sector laws to Congress; streamline the bloated congressional committee system by reducing the total number of committees and restricting the number of committee assignments Members can have; significantly reduce the number of subcommittees; cut congressional staff; open up Congress to enhanced public scrutiny by publicizing committee attendance and rollcall votes; and require that the CONGRESSIONAL RECORD be a verbatim account of congressional proceedings.

The 104th Congress has made a good start toward meaningful congressional reform. These efforts have been assisted by the work of prior reform commissions such as the joint committee, as well as the continuing public demand for change. But many important components of the joint committee's reform package have not yet been considered by the House.

For example, the joint committee proposed that private citizens be included in the ethics process in a meaningful way. Under this proposal, private citizens would investigate ethics complaints against Members of the House.

Another joint committee recommendation that has not been adopted would publicize the special interest projects and tax breaks included in legislation, providing additional barriers to wasteful spending and special interest tax loopholes.

Still another joint committee proposal would streamline the Federal budget process by shifting it from an annual to a biennial cycle, reducing redundant decisions, and allowing more time for oversight. But such budget reform proposals also have not received full consideration by the House.

Because the reform effort is not complete, I am introducing the Legislative Reorganization Act of 1995, which contains all of the reform recommendations of House Members on the joint committee that have not been adopted in some form by the House. Included are the ethics, special interest, and budget reform proposals that I have mentioned. Also included are a number of additional recommendations, such as the regular reauthorization of the congressional support agencies, scheduling reform, and enhanced public understanding of Congress. My sense is that the work of the Joint Committee on the Organization of Congress can continue to serve as a valuable vehicle for proceeding with reform.

I intend to work with other Members to ensure that these proposals are given full consideration by the committees of jurisdiction and the entire House. And over the next few months, I also intend to introduce additional reform proposals that would strengthen the joint committee's package, and help make Congress more efficient and publicly accountable.

As I have said repeatedly over the past few years, a comprehensive reform bill should be brought to the House floor—and under a generous rule, so that Members can consider, debate, and vote on the major reform alternatives. Although some of the reforms that will be adopted today are important, these proposals are to be considered under closed rules. Free and open debate about congressional reform has not yet occurred in the House.

Again, Members should have the opportunity to vote on the major reform issues.

Congressional reform should be an ongoing process. Every year a bill should be scheduled for floor consideration dealing with institutional reform, just as the House regularly deals with legislation reauthorizing major programs and agencies.

Of course, institutional reform is no panacea. Many difficult issues are on the agenda of the 104th Congress. But sustained and meaningful change is crucial for the restoration of public confidence in Congress.

BRUCE THOMPSON FEDERAL COURTHOUSE

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mrs. VUCANOVICH. Mr. Speaker, today I have reintroduced legislation to name the new Federal courthouse in Reno, NV after the late Judge Bruce R. Thompson.

I cannot think of a more deserving Nevadan on which to bestow this honor. Judge Thompson was one of Nevada's most prominent, respected and beloved men in the Nevada legal community and led a long and highly distinguished career. After graduating from the University of Nevada and Stanford law school, he practiced law with George Springmeyer and later Mead Dixon for 27 years until 1963. He served as assistant U.S. attorney for the district of Nevada from 1942 to 1952 and as special master for the U.S. District Court of the District of Nevada from 1952 to 1953. Judge Thompson was also president of the Nevada State Bar Association from 1955 to 1956. Following a term as regent to the State planning board in 1959, he served as its chairman from 1960 to 1961. In 1963, he was appointed U.S. district judge by President John Kennedy.

His outstanding career is coupled by the immense love and respect Judge Thompson earned from his colleagues. In fact, numerous organizations representing nearly the entire legal community of Nevada have endorsed this legislation. These include, among many others, the Washoe County Bar Association, the State Bar of Nevada, the Nevada Trial Lawyers Association, the Association of Defense Council of Nevada and the Northern Nevada Women Lawyers Association.

Mr. Speaker, the House passed this bill (H.R. 3110) in the last session, only to see it die in the other body. Since construction began on this new courthouse last summer, the timeliness and importance of enacting this bill is clear. I look forward to working with my colleagues in the near future to ensure the smooth sailing of this legislation.

NEW YORK CHIROPRACTORS AGAIN BRING HOPE TO HUNGRY AMERICANS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SOLOMON. Mr. Speaker, it is my privilege once again this year to bring to your attention a professional organization which, in the best American tradition, finds the time to help its most unfortunate neighbors.

The New York Chiropractic Council deserves credit not only for serving as the voice of a group of dedicated health care professionals, but also for its continuing battle against hunger.

This year, the New York Chiropractic Council will sponsor its fourth annual HOPE [Helping Other People Eat] Day. Their goal is to collect 10,000 pounds of food for the Regional Food Bank of Northeastern New York and 75,000 pounds statewide for the hungry of the State.

The Council brought HOPE Day to New York in 1992, and in just its first 2 years raised over 80,000 pounds of food. The food was turned over to the Northeast Regional Food Bank, which delivers an average of 1 million pounds of food per month to 600 charitable organizations in 23 counties in New York State.

Over 180 participating doctors of chiropractic collected the nonperishable food from patients in exchange for adjustments and examinations.

Mr. Speaker, I can think of nothing more typically American than efforts like this. Perhaps its their day-to-day dealings with people in pain that make doctors of chiropractic sensitive to the sufferings of others. But what's important is the fact that this organization has committed itself to helping hungry Americans, and I can think of few organizations that surpass them in this effort.

That's why I would ask you, Mr. Speaker, to join me in saluting Dr. John M. Gentile, D.C., HOPE Day coordinator, and other members of the New York Chiropractic Council for their selfless and generous response to the problem of hunger.

INDUSTRY-BASED EDUCATION SUPPORT ACT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. KILDEE. Mr. Speaker, I am pleased to be introducing today, the Industry-Based Education Act, a bill to build upon and strengthen the work that is being carried out under the Carl D. Perkins Vocational and Applied Technology Education Act in the areas of curriculum development, professional development, and technical assistance for our Nation's vocational education programs.

As the school-based education component of our Nation's developing school-to-work transition system, vocational education is critical both as an ongoing program to prepare students to be productive members of our Nation's work force and as a tool for improving the Nation's high schools. The 1990 reauthorization of the Perkins Act created a framework for assisting State and local efforts to ensure that vocational education programs are responsive to the needs of the workplace, and that they support integrated vocational and academic education that improves the educational achievement of all students. By focusing on curriculum development, professional development and technical assistance, the Industry-Based Education Support Act will give States and local school districts additional support to help them develop and implement programs that meet the vocational and academic needs of their students and communities in an integrated manner.

It is vitally important than any discussion of the future of Federal assistance for vocational education take into consideration the need to support State and locally developed curriculum development, professional development, and technical assistance. This bill is being introduced to help stimulate that debate.

TRIBUTE TO THE LATE DR. MARJORIE STEWART JOYNER

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. RUSH. Mr. Speaker, I rise this morning with great sadness to pay tribute to the late Dr. Marjorie Stewart Joyner, who passed away on Tuesday, December 27, 1994. Dr. Joyner was an inspiration to generations of Chicagoans who grew up coming to know and respect her for her remarkable achievements.

Dr. Joyner was born in 1896 in Monterey, VA. After moving to Chicago in 1912, Dr. Joyner embarked on a long and prosperous career in the beauty parlor business. In fact, she was the first African-American to attend and graduate from a Chicago-based beauty school, and later invented and patented a permanent wave in 1928.

It was through her endeavors in this field that Dr. Joyner was able to work toward providing increased economic opportunities for African-Americans. Her support made it possible for the establishment of the Cosmopolitan Community Church in Chicago in 1934. In addition, she and First Lady Eleanor Roosevelt established the National Council of Negro Women in 1935. This organization has been dedicated since that time in addressing Negro and women's issues. Later, Dr. Joyner founded the United Beauty Owners and Teachers Association and the Alpha Chi Phi Omega Sorority. Dr. Joyner was also active in local charitable events, including the annual Chicago Defender Bud Billiken Parade, the largest parade for the African-American community in the country.

Mr. Speaker, Dr. Joyner was an American treasure who throughout her long life gave tirelessly of herself for the advancement of her race and of all persons in need. She drew strong accolades from leaders and political figures around the country, and I am but one in a long line of persons who have come to pay their respects for this true American patriot. On this day, Mr. Speaker, I join her family, her friends, and all of Chicago and the Nation, in mourning the loss of a dear and special friend.

TRIBUTE TO THE LIONS CLUB OF PUNXSUTAWNEY

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CLINGER. Mr. Speaker, I rise today to honor the Lions Club of Punxsutawney, PA as they celebrate their 50th anniversary of becoming a charter member. On this day in 1945, the Punxsutawney chapter became part of the International Association of the Lions Club.

Through hard work and dedication, members were able to purchase 254 acres of land—complete with a small lodge—just 2 short years after its founding. In keeping with the true spirit of the club, the lodge is used for both Lions' meetings and the benefit of the community as a whole.

When the Punxsutawney Lions Club was chartered, its main goal was to help fight blindness. Fifty years later, they are doing just that. The Lions are active in their support of various camps—as close as Indiana, Pennsylvania, and west to Rochester, Michigan—that benefit physically challenged people.

The Lions' unconditional generosity and benevolence, however, do not end there. People in third world countries also feel the impact of their philanthropy. Better vision and increased health awareness are just two areas in which the Lions Club is making a difference.

Mr. Speaker, it is my distinct pleasure to recognize the Punxsutawney Lions Club on this special occasion. The celebration of their 50th anniversary is testimony to its members' dedication and loyalty. I salute the Lions as they embark on their next 50-year journey and wish them much luck and happiness in that pursuit.

$2,000 REWARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. STARK. Mr. Speaker, the Republicans refuse to tell the American people how they will balance the budget, cut taxes, and increase defense spending.

On November 22, 1994 I offered a $1,000 campaign contribution to any Republican Member who signed the so-called Contract With America and who plans on running for reelection who could explain in detail what cuts he or she would make to achieve a balanced budget in fiscal 1996.

No one has taken me up on the offer.

The Republican Contract With America will mean the destruction of Medicare, education aid, cancer research, and other programs the American people support.

The Republicans know that and refuse to explain it to the American people.

Mr. Speaker, I double my offer: I will contribute $2,000 for a charity in the district of any Republican who can explain exactly what they will cut to achieve a balanced budget while increasing defense and cutting taxes.

LEGISLATION TO ELIMINATE THE SOURCE TAX

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mrs. VUCANOVICH. Mr. Speaker, States with a source tax levy a tax on the retirement income of retirees who no longer reside in the State. Thousands of seniors across the country receive tax bills from States even though many of these retirees have not lived in that State for years. In every Congress since 1988, I have introduced legislation to prohibit the source tax.

I was very pleased last spring, when the Senate unanimously passed a source tax bill. I was even more pleased when, in the final week of the 103d Congress, the House also passed a bill to prohibit the source tax. Unfortunately, the Senate and House versions were not identical and there was no time for a conference.

Today I am again introducing a proposal to prohibit the source tax. The bill I am introducing will exempt all retirement income from State income tax if the individual receiving the income is not a resident of the State. This legislation will not place any cost on the Federal Government and may even cause a modest increase in Federal revenues.

This measure differs in two ways from the bill I sponsored in the 103d Congress. That bill included a cap on the amount of lump-sum distributions exempted from the source tax. My new bill will have no caps. Also, for the 104th Congress the measure covers all retirement plans, not just those that qualify for special tax treatment by the Federal Government. These changes, which extend the measure to all retirement income, make the bill more fair because it will treat all retirees equally.

Mr. Speaker, I urge my colleagues to support me in this cause. Retirees across the Nation will thank you.

TOWN OF SCHODACK CELEBRATES BICENTENNIAL IN 1995

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SOLOMON. Mr. Speaker, it's been my privilege since entering Congress in 1979 to return home nearly every weekend.

That's not only a wise policy for a Member of Congress, it's good for a Member's peace of mind. It's necessary to get away from this artificial world of Washington, DC, and get back to the real world where real people have real jobs and raise real families.

Our 22d district is a largely rural area, and it is the tried and true virtues of our small towns and villages that have made this country great, as recognized as early as the 1830s by French visitor Alexis de Tocqueville. And today, I'd like to single out one of those communities, the Rensselaer County town of Schodack.

Schodack will celebrate its bicentennial in 1995, a celebration that will culminate in a gala-dinner dance on March 18.

Having visited Schodack many times during my 16 years of Congress and 6 years in the State assembly, I can personally vouch for the town's embodiment of all of those smalltown virtues, the hard work, the patriotism, the spirit of volunteerism and helping one's neighbor.

Notwithstanding my new duties as chairman of the House Rules Committee, Mr. Speaker, I still intend to return home as many weekends as possible to visit the good people of Schodack and all the other small communities that will always reflect the true heart and true character of America.

Mr. Speaker, I ask you and other Members to join me in congratulating the town of Schodack on this occasion of its 200th birthday.

EMPLOYEE COMMUTE OPTION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. MANZULLO. Mr. Speaker, today is truly a landmark day in the history of this country. On November 8, the citizens spoke out against big government and unfunded mandates.

We have a unique opportunity to curtail many, if not all, unfunded mandates this Congress. One key mandate is the employee trip reduction contained in the Clean Air Act of 1990.

If you thought the electorate was angry in November, wait until they hear about this restriction on their ability to drive their own car to work. The employee trip reduction, known also as the employee commute option, requires businesses with over 100 employees in certain areas to force their employees to carpool to work. Thus, the employee commute option is really a misnomer, because if the States do not enforce this mandate, they stand to lose much needed highway funding. In my own State of Illinois, that is $700 million in the balance.

In other words, implement mandated carpooling, or else. That's not much of an option.

Affected areas are designated ''severe'' nonattainment regions based on 1987–1988–1989 statistics, even though recent data shows these regions have cleaned-up their air before these mandates take effect.

The bill I am introducing today allows the States to decide if they want carpooling to be part of their clean air plan. It will not change the goals of the Clean Air Act but simply gives States the option to utilize carpooling as a tool to help clean the air in their specific region.

My legislation sends a message to the EPA that the voters voiced back in November—we need common sense and flexibility in the law.

In Illinois, it is estimated that this mandate alone will only reduce air pollution levels by an average of 1 percent. That small percentage has a price tag estimated at $200 million for businesses to enforce. This is a huge price tag, for a very small benefit. There are cheaper and better ways to achieve the same goals, but the States should have the flexibility to figure that out.

Please join me and the many Members who have cosponsored my bill in giving the States back the authority to improve their own air quality. Cosponsor and pass my bill to make the employee commute option truly an option.

BASEBALL FANS AND COMMUNITIES PROTECTION ACT OF 1995

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CONYERS. Mr. Speaker, today I am introducing the Baseball Fans and Communities Protection Act of 1995. It is time that Congress finally steps up to the plate and ends baseball's antitrust exemption which is at the root of the current strike and which has hijacked the national pastime away from the fans and communities that have supported it for so long.

Professional baseball is the only industry in the United States that is exempt from the antitrust laws without being subject to alternative regulatory supervision. There may have been a time when this unique treatment under our antitrust laws was a source of pride and distinction for the many who loved the game. But that time has ended. The continuing baseball strike of 1994—which ended the regular season, which ended the possibility of a World Series for the first time in 90 years and which has very nearly ended the love affair of the American people with their national pastime—has now become the Baseball strike of 1995. If Congress fails to take swift action in the 104th Congress, this lingering strike has the strong potential to destroy yet another season; and I, for one, am not going to stand by passively and watch that happen.

I am proud that the House Judiciary Committee at the close of the last Congress voted to repeal the nonstatutory antitrust exemption created by an anomalous Supreme Court decision in 1922. That decision created the notion that baseball somehow did not involve ''interstate commerce'' and thus was beyond the reach of the Federal Antitrust laws. The committee acted to end this illusion, which has now spawned very real and devastating economic consequences for our citizens.

The bill I am introducing responds to the current phase of the recurring labor crisis in baseball in a very limited, yet crucial, way: By subjecting the players' union and the owners to the Nation's antitrust laws in the event one party unilaterally imposes an anticompetitive term or condition of employment on the other. As introduced, the bill exempts minor league baseball from the scope of its coverage. It may be that the current situation will demand an even stronger response and a broader repeal. But, in my judgment, this is an appropriate starting point for developing a bipartisan consensus on the issue in the committee and in the full house.

The end result of baseball's special treatment has been the perpetuation of a closed, cartelized industry in which the few, incumbent club owners possess inordinate economic power and every other party—players, fans, municipalities, minor league club owners, potential expansion investors—remain economically marginalized. In a very real sense, the competitive landscape of major league baseball in 1995 resembles the very type of business arrangements that spurred Congress to enact the antitrust laws in the 1890's.

I am gratified by the bipartisan support received for this legislation in the last Congress, and the prospect that both sides of the aisle can work productively together to have swift

enactment of my legislation. While I realize that there are some who wish to concentrate solely on the provisions of the so-called ''contract with America'' in the first 3½ months of the new session, I would urge all of my colleagues to join with me in moving this to a high priority status so that spring training and the regulator season are not lost to the American people.

We have the opportunity and ability to rescue the national pastime from its current dispiriting condition. Let's not allow this opportunity to pass by or be deferred.

I urge all colleagues to join in the effort.

CREDIT BUREAU REPORTING OF COURT-ORDERED CHILD SUPPORT OBLIGATIONS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. LEVIN. Mr. Speaker, as this historic 104th Congress convenes, I am reintroducing the Child Support Credit Bureau Reporting Act of 1995, to require all States to participate in a simplified, nationally uniform child-support credit-bureau reporting system.

I first introduced this bill in 1994. It is aimed at combatting the woefully low rate of child support payments in the United States, without creating a new Federal Government program to do it. Credit bureaus and, through them, individual lenders will know on a monthly basis whether or not parents are fulfilling this most basic obligation. With negligible Federal costs, this bill will begin to get the private sector involved in addressing those adults who don't pay their court-ordered child support.

Children are created by two people, and both of them must accept personal and financial responsibility for raising their children. In broken, or never-formed families, financial responsibility is often defined by court-ordered child support payments. Unfortunately, too many noncustodial parents fail to comply with the court orders.

A year ago, I received a letter from a constituent of mine in Warren, MI. This mother of two ran away from her husband, and moved into a shelter for abused women. She writes:

> I have been working as a secretary for almost eight years now, and it still seems that there is never enough money. My ex-husband doesn't even pay the ordered $55 per week, an amount so small it won't even buy them both new shoes or new coats. It won't pay for Little League registration * * * and if I saved every penny, it wouldn't put them half way through college. Why does he do this? Because he feels he can get away with it and I say he's right.

Unfortunately, she's not alone. The Office of Child Support Enforcement in the Department of Health and Human Services reports that of $35 billion of cumulative court-ordered child support owed through 1992, $27 billion remains uncollected. In 1992, nearly six million absentee parents made no child support payments at all.

This is simply wrong and my child support credit bureau reporting bill will help to change this.

Very simply, State agencies responsible for child support enforcement will report the status of all child support accounts to the Nation's three major credit bureaus—TRW, Equifax, and Trans-Union. With this information appearing on credit reports, individual lenders will know on a monthly basis whether parents owe court-ordered child support and whether they are fulfilling this most basic obligations. After all, is a parent's obligation to pay court-ordered child support any less important than that parent's obligation to make a car payment or pay their credit card bills?

Last year, I asked the GAO to survey 16 States, credit bureaus, and some lenders regarding this proposal. I introduced my bill after receiving the favorable GAO report, entitled ''Child Support Enforcement—Credit Bureau Reporting Shows Promise,'' on June 3, 1994. Generally, the GAO found that my proposal can increase child support collections, that it is administratively feasible, and, most importantly, it can be implemented with little cost to either State or Federal governments. In short, over time, my bill will help save money and increase court-ordered child support collections.

Mr. Speaker, we have done nearly all we can in the way of Federal statute; we already mandate tax-refund intercepts, the withholding of court-ordered support from wages, liens on property, and so on. But government cannot do this alone. The private sector must also reinforce the principle of parental responsibility. My bill will provide private-sector banks, credit card agencies, merchants, and businesses the information they should weigh when making loan decisions. Private sector lenders should attach at least as much importance to a parent's track record for paying court-ordered child support as they do to credit card balances and loan payments. And failure to pay court-ordered child support should carry grave consequences.

Mr. Speaker, if we support family values, then surely this is a sensible and necessary step. Those in the private sector—banks, credit card agencies, and businesses—should put court-ordered child support on the scale when weighing the decision to make a loan. We must send the message that both parents are responsible for supporting their children and that child support is a debt parents cannot afford to ignore.

Mr. Speaker, I ask that a copy of the bill be inserted in the RECORD at this point.

ALAN EMORY ASSUMES GRIDIRON PRESIDENCY

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. McHUGH. Mr. Speaker, I want to recognize the achievements of a distinguished journalist who has been covering Washington since the days of President Truman. This week, as we seek a new direction for Congress and the country, so too will a new voice guide the well known Gridiron Club. Alan S. Emory, Washington correspondent for the Watertown (New York) Daily Times, assumed the presidency of the Club January 1. He has been that newspaper's Washington correspondent since 1951.

Gridiron is an organization of 60 journalists covering the Nation's Capital. They are well recognized for their annual gala dinner and musical spoof of politics, over which Mr. Emory will preside on March 25.

Mr. Speaker, Alan Emory has crossed many notable milestones in his career—recipient of the Thomas L. Stokes prize for conservation reporting, election to the Society of Professional Journalists, President of its Washington Professional Chapter and member of the Chapter's Hall of Fame—but he is probably most gratified at his elevation to the presidency of Gridiron. He has twice been music chairman of their spring show, a producer ten times and always one of the Club's most prolific writer of lyrics. As a member since 1976 and most recently its vice president, he will be a most capable leader.

Covering Washington politics for more than four decades, Mr. Emory is know as a journalist with the highest of standards. He can be tough on newsmakers but is as fair as they come. What public official could ask for more? And who better to be chief lampooner at the Gridiron?

Mr. Speaker, I join his fourth estate colleagues, his family, particularly his beloved wife, Nancy, and his Capitol Hill friends in congratulating Mr. Emory on his assumption of the Gridiron Club presidency and look forward to his continuing successes through the new year.

CENTRALIZED AUTOMOBILE EMISSIONS INSPECTION

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. GEKAS. Mr. Speaker, I introduce today legislation to bring a commonsense approach to implementation of the 1990 Clean Air Act amendments. My legislation is designed to accomplish three goals: First, to delay for 2 years the implementation of the enhanced vehicle inspection and maintenance program; second, to require the Environmental Protection Agency [EPA] to reissue regulations for this program; and third, to provide for the redesignation of marginal and moderate ozone nonattainment areas.

This legislation is in response to a consistent trend by the EPA of regulating first and asking questions later. As far back as April 2, 1993, I contracted EPA Administrator Carol M. Browner with regard to a requirement that the Commonwealth of Pennsylvania implement a centralized vehicle inspection program. While I have many concerns with the EPA's Centralized Vehicle Emissions Inspection Program as a means of actually improving air quality, my main concern is over the Agency's Ozone National Ambient Air Quality Standards Report which found 41 of the 98 previously designated nonattainment regions registering ozone attainment for the years 1991 through 1993. Additionally, according to available ozone air studies these regions will again reach attainment in 1994. Had it not been for the inclusion of 1988, a climatological anomaly, in the EPA's 3-year average of ozone nonattainment, regions such as Harrisburg and Lancaster, PA, would never have been caught in this bureaucratic web of regulations. In my opinion, the EPA is looking for a problem to regulate which does not exist.

Mr. Speaker, this is a fundamental problem with our Nation's environmental laws and one reason why Americans overwhelmingly voted for reform of our environmental laws through their endorsement of the Contract with America. Two key provisions in the Republican reform package are cost benefit analysis and regulatory reform. We have seen with the superfund, clean water, pesticide, and clean air regulations a lack of consideration for cost in relation to benefit. For example, as I mentioned above Harrisburg and Lancaster, PA, have met national ambient air quality standards for 3 consecutive years. Nevertheless, these regions must comply with burdensome regulatory requirements to centralize automobile emissions inspections costing thousands of jobs across the Nation and adding Government cost and bureaucracy to the lives of many Americans. My bill is designed to ease the regulatory requirements of the 1990 Clean Air Act amendments and to direct the EPA to reassess its determination with respect to the centralized program and issue new regulations governing the program.

Mr. Speaker, we all support sensible environmental laws and cherish the natural and wonderful resources of this Earth. However, when the Government spends billions of taxpayer dollars on meaningless regulations which do little to improve the health of citizens we must take the necessary action to reform these laws. I ask my colleagues to mark this historic first day of the 104th Congress by cosponsoring this legislation and begin the process of regulatory reform.

INTRODUCTION OF THE LOBBYING DISCLOSURE ACT OF 1995

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. BRYANT of Texas. Mr. Speaker, today, I am introducing the Lobbying Disclosure Act of 1995, a bill to reform the lobby disclosure laws and to ban lobbyists' gifts to Members of Congress.

This bill is identical to the legislation that the House of Representatives passed on September 29, 1994, by a vote of 306 to 122.

The American people need to know whether this Congress will put an end to the perception that the Congress is captivated by special interests who shower Members with gifts to win their favor.

This bill would permanently bar lobbyists from gaining access to Members of Congress by picking up their tabs for meals and entertainment and it would end subsidies for what are essentially private vacation trips.

It would also ensure that our constituents know how much is being spent to influence the decisions that we are sent here to make on their behalf by closing loopholes in existing lobby disclosure laws.

As my colleagues know, Republicans sought to block consideration of this bill last year and succeeded in killing it with a filibuster in the Senate.

But the issue of how private interests seek to influence this body can not be ignored.

I urge the Congress to pass this legislation and help to restore the confidence of the American people in this institution.

LEGISLATION PERMITTING EXPORT OF ALASKA'S NORTH SLOPE CRUDE OIL

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased today to rise to join my colleagues, Mr. THOMAS and Mr. DOOLEY, in introducing H.R. 70, legislation to permit the export of Alaska's North Slope crude oil.

For too long, the State of Alaska has been denied the opportunity to export this valuable resource. I look forward to working with the administration to move this bipartisan legislation to create jobs, to preserve a vital element of our domestic merchant marine, to raise State and Federal revenues, and to spur domestic energy production.

To put this proposed legislation in perspective, I think it would be helpful to explain the origins of current law. The export restrictions were first enacted in 1973 during the Arab-Israeli war and the first Arab oil boycott. Following the second major oil shock in 1979, the restrictions were further tightened, effectively imposing a ban on exports. Much has changed since then.

Over half of our imports now come from the Western Hemisphere and Europe. We are less dependent on the Middle East and Africa, but have shifted our purchases from Iran, Iraq, and Libya to Saudi Arabia and Kuwait. Today, U.S. oil supplies are ample and are more diversified. In addition, international sharing agreements are in place and the United States has filled a Strategic Petroleum Reserve with 600 million barrels of crude oil. In short, our Nation is not as vulnerable to the supply threats that motivated Congress to act in the 1970's.

While we have taken the steps necessary to reduce our vulnerability to others, we have not done enough to encourage domestic energy production. In fact, production on the North Slope has now entered a period of decline. In California, small independent producers have been forced to abandon wells or defer further investments. By precluding the market from operating normally, the export ban has had the unintended effect of discouraging further energy production. This legislation is designed to change that situation.

This proposed legislation would require the use of U.S.-flag vessels. Prior proposals would have permitted exports on foreign-flag vessels. Those bills never prospered, in part because they were opposed by the independent U.S.-flag tanker fleet that was built at considerable expense to move the crude oil to market. We have now forged common ground with the maritime industry. Our bill will help preserve this vital element of our merchant marine.

In June 1994, the Department of Energy issued a comprehensive report that concluded Alaskan oil exports would boost production in Alaska and California by 100,000 to 110,000 barrels per day by the end of the century. The sooner we change current law, the sooner we can spur additional energy production and create jobs on the west coast and in Alaska. In fact, Energy Secretary, Hazel O'Leary is reported as saying in today's Journal of Commerce, which I would like to submit for the RECORD, ''I have been strongly in favor of lifting that ban since I have been back in Government. You will see us carrying the initiative and supporting the lifting of the ban.'' I look forward to working with Secretary O'Leary and administration toward that end.

Mr. Speaker, as we enter a new era in the House, we have an opportunity to enact bipartisan legislation that will create jobs, help preserve our merchant marine, spur energy production, and raise State and Federal revenues. I urge my colleagues to work with me to enact this vital legislation as quickly as possible to achieve these objectives and to enhance our energy security.

[From the Journal of Commerce, Jan. 4, 1995]

O'LEARY PLANS PUSH TO END EXPORT BAN ON ALASKAN OIL

WASHINGTON.—U.S. Energy Secretary Hazel O'Leary said she plans to push this year to repeal the ban on exports of Alaskan North Slope oil.

Mrs. O'Leary also said she believed a broad coalition supporting the ban's repeal was forming late in the last congressional session.

''I have been strongly in favor of lifting that ban since I have been back in government,'' Mrs. O'Leary said. ''You will see us carrying the initiative and supporting the lifting of the ban'' in 1995, she said.

Deputy Energy Secretary Bill White has said the department will work on legislation to lift the 20-year-old law that keeps Alaskan North Slope oil from Pacific Rim markets.

Efforts by Alaska's congressional delegation to repeal the ban died late in the last session.

President Clinton also has indicated he supports the concept of repealing the ban, but that the administration was weighing the issue.

According to an Energy Department study, allowing the oil exports would generate jobs and revenue.

But some West Coast lawmakers opposed lifting the ban, partly fearing higher gasoline prices as less Alaskan oil would move to domestic ports.

Labor groups also have opposed lifting the ban because the oil would no longer be forced onto U.S.-flagged vessels, but could be carried on international vessels to overseas ports.

There have been proposals to require that the exported oil still be carried on U.S.-flagged vessels, but that could raise international trade problems, U.S. officials have said.

A QUESTION OF MURDER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CUNNINGHAM. Mr. Speaker, I wanted to call my colleagues' attention to a recent commentary from the News Reporter of San Marcos in the 51st District of California.

My constituent, D.J. Skinner Ross of San Marcos, raises some interesting questions about the recent tragic double murder of the Smith children in South Carolina. I urge my colleagues to read ''A Question of Murder,'' as it offers a unique perspective on this sad case and on the larger issue of ethics in our society.

Mr. Speaker, I commend ''A Question of Murder'' to the House and ask that it be printed in the CONGRESSIONAL RECORD at this point.

A QUESTION OF MURDER

I'm a little confused regarding some people's stand on murder; specifically the murder of defenseless children.

The nation, perhaps the world, is horrified and incensed over the killing of the little Smith boys. To learn that the killer was their own mother was almost more than all of us could bear. Many were, and still are, threatening to murder her!

Here is where I'm confused: (1) Where are the ''Women's Rights'' groups? (2) Where are the ''Freedom of Choice'' groups? (3) Where is the politically powerful ''ACLU''?

Mrs. Smith could use your support during the terrifying, lonely time in her life. Mrs. Smith could use some of the ACLU's legal backing.

After all, her side of the story is not different now than it would have been five years and seven or eight months ago—or even as recently as nineteen or twenty months ago: these babies were interfering with the life style she wished to follow. They were a nuisance. They were fathered by a man she didn't love. (A little like ''rape'', don't you agree?)

So I ask all the ''Rights'' groups, ''Where are you now?''

Before these little boys were given names and toys and birthday parties, you would have pounded your fists on your podiums and shouted obscenities at anyone who would dare to say she did not have the ''right'' to take their ''right to live'' away from them.

Where is your courage to defend her now? Nothing has really changed. Those little boys hearts were beating in their mother's womb every bit as strongly as they were in the cold ''womb'' of that car's back seat. Their cries for help would have been as soundless in her womb as they were in that sinking car.

The only difference between this murder and the murder of abortion is the sweet defenseless babies killed in the mothers womb drown in the amnionic fluid. These sweet, defenseless little boys drowned in the fluid of a cold, murky lake.

So I ask, ''In cases such as these, exactly whose ''Rights'' have been wronged?

DANIEL NELSON, VETERAN TEACHER EARNS IMPORTANT SCIENCE AWARD

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SOLOMON. Mr. Speaker, right after the election I heard some great news about a gifted teacher in our 22d Congressional District, and I looked forward to this opening day of the 104th Congress to share it with you.

Daniel A. Nelson, technology teacher in the Shenendehowa Central School District, was named Environmental Science Teacher of the Year by the American Institute of Chemical Engineers.

The award is really no surprise to many of Mr. Nelson's former students, many of whom have gone on to distinguished engineering or science careers. Not is it a surprise to anyone else who knows him that he was quick to share the glory, indeed, to bestow it all, on his students. Dan Nelson has been a selfless, dedicated teacher at Shenendehowa for 26 years, and he's one of the reasons the school is recognized as one of the best in the Northeast.

Those of us who struggled through science courses in high school can appreciate a teacher who makes science courses come alive. That' what Dan Nelson has been doing for a long time, and that's why he is such a deserving recipient of this major award.

He has found a way to get students to apply their math and science skills in a hand-on manner, and to solve problems in a creative way. Many of his students have won State awards for projects assisted and inspired by Mr. Nelson.

Mr. Speaker, let us today add our own tribute to this remarkable teacher, Daniel A. Nelson of the Shenedehowa Central School District.

THE VOTING RIGHTS OF HOMELESS CITIZENS ACT OF 1995

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. LEWIS of Georgia. Mr. Speaker, as the 104th Congress convenes today, I am pleased to introduce the Voting Rights of Homeless Citizens Act of 1995. The purpose of this legislation is to enable the homeless, who are citizens of this country, to vote. This bill would remove the legal and administrative barriers that inhibit them from exercising that right. No one should be excluded from registering to vote simply because they don't have a home. But in many States, the homeless are left out. That is not right. That is not fair. That is not the way of this country.

During this century, we have removed major obstacles that prevented many of our citizens from voting. Not too long ago, people had to pay a poll tax or own property to vote. Women and minorities were prohibited from casting the ballot.

Before the civil rights movement, there were areas in the South where 50 to 80 percent of the population was black. Yet, there was not a single registered black voter. In 1964, three young men in rural Mississippi gave their lives while working to register people to vote. Many people shedded blood and many died to secure voting rights protection for all Americans.

Mr. Speaker, I think it is very fitting to introduce this bill today because 30 years ago today, on January 4, 1965, President Lyndon Johnson proposed that we ''eliminate every remaining obstacle to the right and opportunity to vote.'' Eight months later, the Voting Rights Act of 1965 was signed into law, making it possible for millions of Americans to enter the political process.

Our Nation has made progress. But we still have a long way to go to make sure that every citizen is properly represented on Capitol Hill, in the State house, on the city council and on the county commission. I have dedicated my life to ensuring that every American is treated equally and that everyone has the right to register and vote. I ask my colleagues to join me in opening the political process to every American, even those without a home. I urge my colleagues in the House to join with me in cosponsoring and supporting passage of the Voting Rights of Homeless Citizens Act of 1995.

VETERANS' HEALTH CARE

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. ORTIZ. Mr. Speaker, today I am introducing a bill that will help to significantly improve the standard of health care provided for our nation's veterans, specifically those residing in South Texas.

This bill authorizes the establishment of a new veterans' medical facility in South Texas. Under the provisions of the bill, the Administrator of the Veterans' Administration (VA) is granted the authority to acquire and construct a medical facility on a suitable site in the Rio Grande Valley in order to more effectively deliver needed medical services to the growing number of South Texas veterans. I am honored that Congressman DE LA GARZA and Congressman TEJEDA, a member of the Veterans' Affairs Committee, are also original cosponsors of this bill.

While significant strides are being made in improving both the quality of health care and medical facilities available to our nation's veterans, significant shortfalls still exist in certain areas. The combination of the growing number of patients served by South Texas VA facilities along with the demographic ''aging'' of the veteran population is leading to a situation where existing medical facilities are being stretched beyond capacity. Already, patient usage of the VA medical facilities in South Texas has increased. Additionally, the number of elderly veterans in the State of Texas continues to grow, as does their need for medical care. The situation is exacerbated by the fact that South Texas also receives a steady number of elderly veterans who annually reside in South Texas during the winter months due to the warm climate.

The overburdened state of the veterans' health care system in South Texas becomes apparent when veterans from the Rio Grande Valley, in particular from my District, must travel over 10 hours to reach the closest Veterans' Administration hospital. A number of these veterans are physically incapable of driving these distances, and many do not have family members to transport them to these facilities.

Our nation's veterans deserve the finest health care services available, and the creation of a medical facility in the Rio Grnade Valley will be a significant and much needed step towards meeting this obligation. The construction of a medical facility in South Texas is the first step in addressing the critical health care needs of veterans in South Texas.

BRONCHIO-ALVEOLAR CARCINOMA LEGISLATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SMITH of New Jersey. Mr. Speaker, today I have introduced legislation that will

add bronchio-alveolar carcinoma to the list of diseases which the VA presumes to be service connected. This bill is identical to legislation I offered last year (H.R. 4156).

Bronchio-alveolar carcinoma is a rare form of nonsmokers' lung cancer which strikes otherwise healthy individuals for no known reason. In 1981, it took the life of Thomas McCarthy, a veteran who was a navigator aboard the U.S.S. *McKinley* during his time in the U.S. Navy in the 1950's.

In 1955, the *McKinley* was one of several ships to take part in Operation Wigwam, a secret Navy experiment which tested the effects of an atomic detonation under the ocean floor. The blast produced a mist which enveloped the ships on mission and their crewmen. The Navy refused to even acknowledge the test until 1979, and they still refuse to make public the dangers that the mist produced.

After Mr. McCarthy's death, his widow Joan applied for benefits through the VA. Unfortunately, she was consistently turned down despite the plethora of information she continued to unearth which confirmed that her husband's death was a direct result of his service connection.

I became involved with Mrs. McCarthy's case in 1986 and have been trying to persuade the VA to administratively include bronchio-alveolar carcinoma on the presumed service-connected list. Unfortunately, these requests have been rebuffed. I have been told that the only way to get this done is through legislation.

Last year, VA Secretary Jesse Brown promised me that the Department will support my efforts to pass this legislation. With Secretary Brown's help and as vice chairman of the Veterans Affairs Committee, I will be working with my colleagues on the committee to ensure that the bill is brought up quickly and passed.

We have held hearings on this matter. I have met personally with Secretary Brown to urge action. The time for talking and debating is over. It is clear that this matter needs to be resolved and the time for action is now.

Joan McCarthy, and the few other veterans who suffer from this mysterious cancer and their families, deserve justice. I urge all my colleagues to strongly support this measure.

IN HONOR OF MARTIN LUTHER KING, JR.

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. GILMAN. Mr. Speaker, in a few days, Americans will be celebrating the national holiday which honors one of our great patriots and moral leaders, Rev. Dr. Martin Luther King, Jr.

Reverend King was taken from us prematurely over a quarter century ago, at far too young an age, in one of the most heartless, senseless, and destructive crimes in our national history. It is difficult for us to recognize that if his life had not been so tragically snuffed out, Dr. King would be only 66 years old on his birthday this month.

Although the life of Martin Luther King was cut short, his message is eternal and will long outlive all of us here today. The simple truth that Dr. King worked so hard to make us all recognize is that hatred actually harms the hater more than the hated. The evils of racial injustice, which were a blot on the record of our Nation for far too long, harmed the economy, the morals, and the advancement of white America just as much as it did Black America. The terrible legacy of Jim Crowism and continued racial discrimination which plagued us for well after a 100 years of the Emancipation Proclamation harmed us all, for they not only prevented all Americans from enjoying the full benefits of our society, they also prevented us all from reaping the benefits of the contributions all Americans are capable of making.

By no means should the celebration of Martin Luther King Day be taken as a celebration that we have achieved all we can. In fact, the legacy of racial division and hatred continues to plague us today, in many ways, day after day. No American can truly be satisfied until after all of the barriers of prejudice in our society are removed.

Yet, we can be inspired by the words of Dr. King, who stated: ''If you can't fly, run. If you can't walk, crawl. By all means, keep on moving.''

Martin Luther King Day is an appropriate time for all Americans to remember that we must continue to move, until the day when all of us are afforded full opportunity, and that none of us have to be concerned that race, color, creed, or ethnic heritage are a hindrance to any individual, or to our Nation as a whole.

Let us free ourselves from hatred, as Dr. King urged, so that we can share the dream he so eloquently shared with all in August of 1963—a dream that some day the descendants of slaves and the descendants of slave holders can sit down and join hands together at the table of brotherhood and proclaim: ''Free at last, free at last. Thank God almighty, we're free at last.''

INTRODUCTION OF OVERSIGHT LEGISLATION ON PENSION PLAN TERMINATION INSURANCE

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. FAWELL. Mr. Speaker, as we continue this year to celebrate the 20th anniversary of the Employee Retirement Income Security Act of 1974 [ERISA], I want to bring attention to the termination insurance program administered by the Pension Benefit Guaranty Corporation [PBGC]. The PBGC was created in 1974 under ERISA Title IV in order to guarantee the private pension benefits of employees and retirees in the event their company goes bankrupt and leaves their pension plans less than fully funded.

Even though the General Agreement on Tariffs and Trade [GATT] legislation enacted last year included significant reforms of the PBGC termination insurance program, I believe it is essential that we closely monitor how these changes affect defined benefit pension plans and the goals set forth under ERISA for the PBGC. It might also be noted that the changes to PBGC included in GATT only affected the single-employer plan programs and not the multiemployer program.

Over the last few years, a number of reform proposals have been introduced, including recommendations from the Bush administration, the Clinton administration, some of which were enacted in GATT, and others introduced by former-Representative Jake Pickle. With the passage of PBGC reform in GATT, my Subcommittee on Employee-Employer Relations and the Committee on Economic and Educational Opportunities will take a strong interest in closely monitoring the PBGC program. To aid the committee in its oversight of the PBGC termination insurance program, we are today reintroducing past proposals which address both the single-employer and multiemployer defined benefit pension programs. We want to look at these ongoing termination insurance programs in light of these suggestions, the actual changes included in GATT, as well as other suggestions that we are now asking interested parties to bring to the committee's attention.

While our introduction today of past proposals, and the introduction in the future of the other proposals that come to our attention, does not constitute endorsement of any particular approach, we think that the various provisions contained in such proposals can serve as a valuable tool to assess the progress and effectiveness of the termination insurance programs administered by the PBGC.

The role of defined benefit pension plans and the operation of the title IV termination insurance programs administered by the PBGC constitute important elements of the retirement income security component of our Nation's private pension system. Given our committee's historic jurisdiction over employee benefits under ERISA, I think it imperative that we pay close attention to the status of the programs administered by the PBGC and take a long-term view as to how those features of the current law and other proposals will help ensure the long-term soundness of the defined benefit pension system.

The Subcommittee on Employee-Employer Relations of the Committee on Economic and Educational Opportunities also welcomes comments and suggestions regarding the oversight of other aspects of the ERISA pension, health, and other employee benefit programs under its purview.

THE NATIONAL PARK SYSTEM REFORM ACT OF 1995

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HEFLEY. Mr. Speaker, today I rise to reintroduce the National Park Reform Act of 1995. Except for three small changes, this bill is identical to H.R. 4476, which passed the House by a vote of 421 to 0 last year.

Over the past few months, my friend and colleague, the gentleman from Utah [Mr. HANSEN], has generated a great deal of comment in the West by suggesting that some of the Nation's 368 national parks are not worthy of being in the Park System and that, perhaps, we should look at unloading some of them. His suggestion has not been entirely well received and he is now being charged with trying to destroy the Park System. But, to play the devil's advocate, hasn't he got a point?

Over the past few years, Congress has gotten into the habit of willy-nilly creating national parks. So many, in fact, that some of the newer ones have never been funded while others, some the crown jewels of the National Park System, must bear up under a multibillion backlog. As a result, we have a leaky roof and failing electrical system at Independence Hall in Philadelphia, poor road conditions along Skyline Drive in Virginia and park rangers living in what NPS Director Roger Kennedy terms ''Third-World conditions.'' Meanwhile, we have designated park sites without historical merit and have created others more for urban economic development that for preserving the natural and cultural fabric of the United States. Something must change and this bill is a step toward doing that.

The National Park System Reform Act gives the NPS director 1 year to develop a plan to carry the Park Service into the next century—a plan which includes goals and objectives, an inventory of what is represented and criteria for selection and numerical priorities for both urban and non-urban parks. It requires the Park Service to review its holdings, ensures that everything there belongs there and examines alternative forms of management for those that do not. If the Park Service fails to carry out this mission within 1 year, a blue-ribbon panel, similar to the base-closure commission, will be appointed for a 2-year period to develop its own report.

Three changes have been made from last year's bill, the first, a minor change adding open space preservation to the Park Service study, and two others, dealing with compliance with the National Environmental Protection Act.

Now I suppose, if one wanted to dwell upon the negative, one could label this a park-closing bill. But that would be ignoring the positive aspects of this legislation. Successful implementation of this bill might result in the closure of a handful of parks and could realize significant monetary savings and would ensure a Park System whose holdings are meaningful—the result of a careful screening process, not political clout. In short, it would ensure that taxpayers got their money's worth from the Park System.

Could this bill be more stringent? Yes, but is it necessary to be more stringent. There has been some skepticism that the Park Service can clean its own house. That is for the hearing process to decide. But here we have a truly bipartisan bill, the result of sometimes arduous wrangling between the House Natural Resources Committee and the Park Service and between the gentleman from Minnesota [Mr. VENTO] and myself. This is as true a bipartisan bill as you are likely to see in your lifetime. If we need a stronger posture, then this bill can be amended. That is what the hearing process is for.

In any event, we must not wait to start. I feel strongly that the National Park System Reform Act is something we should enact quickly, before the end of the 100 days. With every passing day our Park System, the world's object of envy, grows more pallid for lack of sufficient funds. We are in danger of loving our parks to death. But if you truly love parks, you will work to make them the best they can be. The National Parks System Reform Act will do this. I strongly urge your support and your cosponsorship.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Park System Reform Act of 1995''.

TITLE I—NATIONAL PARK SYSTEM PLAN

SEC. 101. PREPARATION OF NATIONAL PARK SYSTEM PLAN.

(A) PREPARATION OF PLAN.—The Secretary of the Interior (hereinafter in this Act referred to as the ''Secretary''), acting through the Director of the National Park Service, shall prepare a National Park System Plan (hereinafter in this Act referred to as the ''plan'') to guide the direction of the National Park System into the next century. The plan shall include each of the following:

(1) A statement of goals and objectives for use in defining the mission and role of the National Park Service in preserving our national natural and cultural heritage, relative to other efforts at the Federal, State, local, and private levels.

(2) Detailed criteria to be used in determining which natural and cultural resources are appropriate for inclusion as units of the National Park System.

(3) Identification of what constitutes adequate representation of a particular resource type and which aspects of the national heritage are adequately represented in the existing National Park System or in other protected areas.

(4) Identification of appropriate aspects of the national heritage not currently represented in the National Park System.

(5) Priorities of the themes and types of resources which should be added to the National Park System in order to provide more complete representation of our Nation's heritage.

(6) A statement of the role of the National Park Service with respect to such topics as preservation of natural areas and ecosystems, preservation of industrial America, preservation of nonphysical cultural resources, open space preservation, and provision of outdoor recreation opportunities.

(7) A statement of what areas constitute units of the National Park System and the distinction between units of the system, affiliated areas, and other areas within the system.

(b) CONSULTATION.—During the preparation of the plan under subsection (a), the Secretary shall consult with other Federal land managing agencies, State and local officials, the National Park System Advisory Board, resource management, recreation and scholarly organizations and other interested parties as the Secretary deems advisable. These consultations shall also include appropriate opportunities for public review and comment.

(c) TRANSMITTAL TO CONGRESS.—Prior to the end of the third complete fiscal year commencing after the date of enactment of this Act, the Secretary shall transmit the plan developed under this section to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

SEC. 102. MANAGEMENT REVIEW OF NATIONAL PARK SYSTEM.

(a) REVIEW.—(1) Using the National Park System Plan prepared pursuant to section 101 as a guide, the Secretary shall review the existing National Park System to determine whether there are more appropriate alternatives for managing specific units or portions of units within the system, including partnerships or direct management by States, local governments, other agencies and the private sector. The Secretary shall develop a report which contains a list of areas within the National Park System where National Park Service management should be modified or terminated.

(2) In developing the list under paragraph (1), the Secretary shall consider such factors as duplication within the National Park System, better representation of a particular resource type under management of another entity, lack of significance, lack of management feasibility, cost, lack of visitor accessibility, modifications that change the character of the resource, lack of collaboration to protect resources, suitability for management by another agency, and the compatibility of the resource with the present mission and role of the National Part Service.

(3) For any areas for which termination of National Park Service management is recommended, the Secretary shall make recommendations regarding management by an entity or entities other than the National Park Service. For any area determined to have national significance, prior to including such area on the list under paragraph (1) the Secretary shall identify feasible alternatives to National Park Service management which will protect the resources thereof and assure continued public access thereto.

(b) CONSULTATION.—In developing the list referred to in subsection (a), the Secretary shall consult with other Federal land managing agencies, State and local officials, the National Park System Advisory Board, resource management, recreation and scholarly organizations and other interested parties as the Secretary deems advisable. These consultations shall also include appropriate opportunities for public review and comment.

(c) TRANSMITTAL TO CONGRESS.—Not later than 1 year after the Secretary completes the plan referred to in section 101 of this Act, the Secretary shall transmit the report developed under this section simultaneously to the Natural Resources Committee of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The report shall contain the recommendations of the Secretary concerning modifications or termination of National Park Service management for any areas within the National Park System and the recommendations regarding alternative management by an entity or entities other than the National Park Service.

SEC. 103. NATIONAL PARK SYSTEM REVIEW COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—If the Secretary fails to transmit the report developed under section 102 within the 1-year period specified in section 102, a National Park System Review Commission shall be established to review existing National Park System units to determine whether there are more appropriate alternatives for managing specific units or portions thereof. Within one year after the date of its establishment, the Commission shall prepare and transmit to the Natural Resources Committee of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a report containing a list of National Park System units or portions thereof where National Park Service management should be modified or terminated. In developing the list, the Commission shall consider the factors referred to in section 102(a)(2). For any listed areas, the Commission shall suggest alternative management by an entity or entities other than the National Park Service, and for any area determined to have national significance, prior to including such area on the list the Commission shall identify feasible alternatives to National Park Service management which will protect the resources of

the area and assure continued public access to thereto. In developing the list, the Commission shall consult with other Federal land managing agencies, State and local officials, the National Park System Advisory Board, resource management, recreation and scholarly organizations and other interested parties as the Secretary deems advisable. These consultations shall also include appropriate opportunities for public review and comment.

(b) MEMBERSHIP AND APPOINTMENT.—The Commission shall consist of 7 members each of whom shall have substantial familiarity with, and understanding of, the National Park System. Three members of the Commission, one of whom shall be the Director of the National Park Service, shall be appointed by the Secretary. Two members shall be appointed by the Speaker of the United States House of Representatives and two shall be appointed by the President Pro Tem of the United States Senate. Each member shall be appointed within 3 months after the expiration of the 1-year period specified in section 102(c).

(c) CHAIR.—The Commission shall elect a chair from among its members.

(d) VACANCIES.—Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission. Any vacancy in the Commission shall be promptly filled in the same manner in which the original appointment was made.

(e) QUORUM.—A simple majority of Commission members shall constitute a quorum.

(f) MEETINGS.—The Commission shall meet at least quarterly or upon the call of the chair or a majority of the members of the Commission.

(g) COMPENSATION.—Members of the Commission shall serve without compensation as such. Members of the Commission, when engaged in official Commission business, shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service under section 5703 of title 5, United States Code.

(h) TERMINATION.—The Commission established pursuant to this section shall terminate 90 days after the transmittal of the report to Congress as provided in subsection (a).

(i) LIMITATION ON NATIONAL PARK SERVICE STAFF.—The Commission may hire staff to carry out its assigned responsibilities. Not more than one-half of the professional staff of the Commission shall be made up of current employees of the National Park Service.

(j) STAFF OF OTHER AGENCIES.—Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission.

(k) EXPERTS AND CONSULTANTS.—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be advisable.

(l) POWERS OF THE COMMISSION.—(1) The Commission shall for the purpose of carrying out this title hold such public hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems advisable.

(2) The Commission may make such bylaws, rules, and regulations, consistent with this title, as it considers necessary to carry out its functions under this title.

(3) When so authorized by the Commission any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(4) The commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(5) The Secretary shall provide to the Commission any information available to the Secretary and requested by the Commission regarding the plan referred to in section 101 and any other information requested by the Commission which is relevant to the duties of the Commission and available to the Secretary.

SEC. 104. NEPA.

The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the preparation of any report pursuant to section 102 or 103 of this Act.

TITLE II—NEW AREA ESTABLISHMENT

SEC. 201. STUDY OF NEW PARK SYSTEM AREAS.

Section 8 of the Act of August 18, 1970, entitled ''An Act to improve the Administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes'' (16 U.S.C. 1a–1 and following) is amended as follows:

(1) By inserting ''GENERAL AUTHORITY.—'' after ''(a)''.

(2) By striking the second through the sixth sentences of subsection (a).

(3) By redesignating the last sentence of subsection (a) as subsection (e) and inserting in such sentence before the words ''For the purposes of carrying'' the following: ''(e) AUTHORIZATION OF APPROPRIATIONS.—''.

(4) By striking subsection (b).

(5) By inserting the following after subsection (a):

''(b) STUDIES OF AREAS FOR POTENTIAL ADDITION.—(1) At the beginning of each calendar year, along with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a list of areas recommended for study for potential inclusion in the National Park System.

''(2) In developing the list to be submitted under this subsection, the Secretary shall give consideration to those areas that have the greatest potential to meet the established criteria of national signifiance, suitability, and feasibility. The Secretary shall give special consideration to themes, sites, and resources not already adequately represented in the National Park System Plan to be developed under section 101 of the National Park System Reform Act of 1994. No study of the potential of an area for inclusion in the National Park System may be initiated after the date of enactment of this section, except as provided by specific authorization of an Act of Congress. Nothing in this Act shall limit the authority of the National Park Service to conduct preliminary resource assessments, gather data on potential study areas, provide technical and planning assistance, prepare or process nominations for administrative designations, update previous studies, or complete reconnaissance surveys of individual areas requiring a total expenditure of less than $25,000. Nothing in this section shall be construed to apply to or to affect or alter tha study of any river segment for potential addition to the national wild and scenic rivers system ot to apply to or to affect or alter the study of any trail for potential addition to the national trails system.

''(c) REPORT.—The Secretary shall complete the study for each area for potential inclusion into the National park System within 3 complete fiscal years following the date of enactment of specific legislation providing for the study of such area. Each study under this section shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the area under study, and reasonable efforts to notify potentially affected landowners and State and local governments. In conducting the study, the Secretary shall consider whether the area under study—

''(1) possesses nationally significant natural or cultural resources, or outstanding recreational opportunities, and that it represents one of the most important examples of a particular resource type in the country; and

''(2) is a suitable and feasible addition to the system.

Each study shall consider the following factors with regard to the area being studied: the rarity and integrity of the resources, the threats to those resources, whether similar resources are already protected in the National Park System or in other Federal, state or private ownership, the public use potential, the interpretive and educational potential, costs associated with acquisition, development and operation, the socioeconomic impacts of any designation, the level of local and general public support and whether the unit is of appropriate configuration to ensure long term resource protection and visitor use. Each such study shall also consider whether direct National Park Service management or alternative protection by other agencies or the private sector is appropriate for the area. Each such study shall identify what alternative or combination of alternatives would in the professional judgment of the Director of the National Park Service, be most effective and efficient in protecting significant resources and providing for public enjoyment. Each study shall be completed in compliance with the National Environmental Policy Act of 1969. The letter transmitting each completed study to Congress shall contain a recommendation regarding the Administration's preferred management option for the area.

''(d) LIST OF AREAS.—At the beginning of each calendar year, along with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a list of areas which have been previously studied which contain primarily cultural or historical resources and a list of areas which have been previously studied which contain primarily natural resources in numerical order of priority for addition to the National Park System. In developing the list, the Secretary should consider threats to resource values, cost escalation factors and other factors listed in subsection (c) of this section.''.

SEMPER FI FOR TOTS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. BARCIA. Mr. Speaker, I rise today to call attention to the excellent Toys for Tots program that has operated in Bay County since 1980 under the able and sincerely appreciated leadership of Gunnery Sergeant Robert K. Greenleaf of the Marine Corps Reserve. It is most important for all of us to remember that we can always do more to help our neighbors, especially children, and the

Toys for Tots program is one which we should all support.

Toys for Tots was started in 1947 by Major William Hendricks in Los Angeles County. He began the program through the Marine Corps Reserve when he saw that there was no other program which provided toys for children on Christmas morning. The program expanded throughout the country just one year later. Today, having provided toys to over 100 million children since its inception, Toys for Tots reaches around the world. The Marine Corps Reserve has carried forth its motto of Semper Fidelis—''Always Faithful''—to their support for children.

No national program becomes successful without the active involvement of key people in each locality. Sergeant Greenleaf has done an outstanding job of running the program in my home county, Bay County, since 1980. That first year he helped bring smiles to 263 children, and last year helped bring more than 24,500 toys to nearly 6,500 children. He did this as a volunteer, in addition to his duties as a Bay City police officer.

And at this time of year, he puts in enough hours to rival Santa himself, as he pulls double duty between the time as a police officer and the hours necessary to make Toys for Tots the continuing success that it is. His belief that no child should wake up Christmas morning without a smile is a philosophy that all of us should support.

Toys for Tots is a wonderful program that is in many of our home communities. I urge all of our colleagues to actively support this annual campaign and make sure to provide an extra thank you to Gunnery Sergeant Robert K. Greenleaf and his colleagues responsible for each of these local programs.

THE JOB CREATION AND WAGE ENHANCEMENT ACT

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. ARCHER. Mr. Speaker, today I am proud to introduce the Job Creation and Wage Enhancement Act. This bill is an important component of the Contract With America.

For the past several decades, Federal taxes, regulations, and mandates have increasingly limited job creation, suppressed wages, and stifled economic growth. This bill is an important step in reversing this trend.

The Job Creation and Wage Enhancement Act would cut taxes and government redtape. It recognizes that the way to unleash the American economy is by lowering taxes and getting government out of the way.

First, the bill would cut taxes on capital gains. Investors who sell a capital asset would have a 50-percent capital gains deduction. In addition, capital assets would be indexed for inflation, ending the unfair practice of taxing gains due to inflation. Taxpayers who sell their homes at a loss could deduct that loss as a capital loss.

Second, the bill would increase depreciation deductions for business equipment. Currently, depreciation deductions do now allow businesses to recover the true economic cost of their business investment. The bill would increase depreciation deductions to approach the economic equivalent of expensing. The bill would also increase to $25,000 the amount a small business could expense annually.

The bill would raise the current estate and gift tax exemption equivalent to $750,000. It would also clarify the home office deduction in instances where the taxpayer conducts essential administrative or management activities in his or her home.

The bill also would empower taxpayers to allocate a portion of their tax liability to a public debt reduction fund. These funds would be strictly earmarked for national debt reduction. Under the law, Congress would be required to cut spending equal to the amount designated by taxpayers. If these cuts are not realized, an across-the-board sequester would be imposed.

Significant regulatory relief would also be provided by the bill. Federal agencies would be required to assess the risks and cost of regulations they impose. Federal agencies would be forced to announce the cost of their policies and to complete regulatory impact analyses.

Congress doesn't get off the hook either. Congress would be required to report the cost of mandates it imposes on State and local governments.

The bill would reduce the paperwork burden imposed on American businesses by 5 percent and limit the government's ability to impose undue burdens on private property owners.

Since I was first elected to Congress, I have been fighting for capital gains tax relief and other savings and investment incentives. This bill provides these incentives. It lowers taxes on investment and reins in government regulation to create additional jobs, raise wages, and recognize private property rights.

Last November, the voters told us that they wanted lower taxes and less government. This bill, along with other bills in the Contract With America, provides just that.

INTRODUCING THE UNFUNDED MANDATE REFORM ACT OF 1995

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

HON. THOMAS M. DAVIS

OF VIRGINIA

HON. ROB PORTMAN

OF OHIO

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CLINGER. Mr. Speaker, today we are introducing legislation to help end the practice of Congress imposing crippling mandates on State and local governments without knowing the cost of such mandates or providing the funding to carry them out. For too long, Congress has imposed its own agenda on State and local governments without taking any responsibility for the costs. And the costs are staggering—in 1993, unfunded Federal mandates cost States tens of billions of dollars, counties approximately $4.8 billion, and cities $6.5 billion. But cost is not the full story. Unfunded mandates force State and local governments to reduce vital services and/or increase taxes, revamp their budgets and reorder their priorities. This is not the kind of Federal-State-local government partnership the Founders envisioned. We need a new kind of federalism.

Our bill, the ''Unfunded Mandate Reform Act of 1995,'' requires authorizing legislation containing a mandate on State and local governments or on the private sector to include a Congressional Budget Office estimate of the costs of such mandate. Any mandate imposing annual aggregate costs of $50 million or more on State and local governments would be subject to a vote on the House floor and, unless a majority of Congress overrides a point of order, the mandate must be funded or those mandates will not become effective. Alternatively, an authorizing committee may reduce the programmatic or financial responsibilities of State and local governments consistent with the level of Federal funding that can be provided. Any mandate that does become effective in 1 year shall be repealed at the beginning of the first fiscal year for which funding has not been provided.

This mandate relief legislation also requires each agency to assess the effects of Federal regulations on State and local government and the private sector and to minimize regulatory burdens imposed by such mandates. Federal agencies must prepare, under our legislation, statements describing, among other things, the costs and benefits of mandates to State and local governments and to the private sector. This is designed to make the regulatory process more sensible and accountable.

Although the mechanisms in our legislation apply to prospective mandates, we have also created a commission to review all existing mandates for purposes of streamlining or eliminating those that no longer make sense. The Commission on Unfunded Federal Mandates will make recommendations to the Congress within 1 year of its formation.

Currently, Members of Congress consider legislation containing unfunded mandates without any information on their cost to State and local governments and the private sector, without a separate debate in committee and on the House floor and without recorded votes on the issue. As a result, there is no honesty in the process, no accountability for this irresponsible practice. Our legislation will change all that. It will also establish a sensible and long-overdue rule that Congress shall not impose Federal mandates on State and local governments without providing adequate funding to comply with such mandates.

PLAY BALL

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. WILLIAMS. Mr. Speaker, big league ballplayers, major league team owners: play ball!

Today, we are witness to a collective bargaining impass that endangers not only the 1995 season but the game itself.

I have today introduced legislation to provide mandatory and binding arbitration if the parties fail to reach agreement.

Collective bargaining in this country works very well. The public, through their government, should intervene only in a crisis. We now have reached a crisis in the well-being of our national pastime.

INTRODUCTION OF THE REGULATORY SUNSET ACT OF 1995

HON. JIM CHAPMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CHAPMAN. Mr. Speaker, today I am pleased to introduce the Regulatory Sunset Act of 1995. This legislation, which I first introduced in the 103d Congress, will put a framework in place to curb the excessive costs of both current and future federal regulations. The concept is simple.

Regulations which are obsolete, inconsistent, duplicative, or impede competition will be abolished or modified. Not only will future regulations, which cause an unnecessary burden be affected, but the thousands of existing regulations would be placed under intense review and scrutiny by the Regulatory Sunset Act of 1995. As the 104th Congress begins the process of reviewing the Federal regulatory system, it is important that this combined focus not be forgotten.

This issue of Federal regulatory reform has not been born overnight. Since 1978, each administration has tried to curtail the impact of Federal regulations. Unfortunately, these attempts have not made much of a difference as total regulatory costs exceed $500 billion annually. This burden on the American taxpayer must be reduced, and the only way to effectively do that is to take a serious look at existing regulations.

I believe my legislation achieves the goal of reducing excessive existing regulations, while ensuring future regulations are not overburdensome. The Regulatory Sunset Act of 1995 will mandate the automatic termination of agency regulations that do not measure up to criteria outlined in the bill. All existing regulations will sunset in 7 years unless reauthorized and new regulations promulgated after enactment of this bill will be subject to a three year sunset unless reauthorized. Once a regulation has been reauthorized, it will be subject to continuous review every 7 years thereafter.

The bill also establishes a Regulatory Sunset Commission that will review agency recommendations on regulations and has the final authority over whether regulations should be continued, terminated, or modified. If the Commission recommends modification of a regulation, it provides time for agencies to make appropriate modifications so the regulation can then be continued.

While certain Federal regulations are necessary to meet statutory requirements and protect the environment and health and safety of individuals, excessive regulatory burdens have impacted our ability to ensure an expanding economy. It is past time to address regulations that have unintended adverse impacts. I urge my colleagues to cosponsor the Regulatory Sunset Act of 1995 and join me in taking a new approach to reforming our regulatory program.

''POVERTY'S TRAP''

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. DINGELL. Mr. Speaker, I agree with your statement before the House that today is an historic day. In the elections of 1992 and 1994, Americans gave their elected leaders a clear signal that they expect the Federal Government to do a better job in spending the Nation's treasure and tending to the needs of its citizens.

As we continue the debate begun by President Clinton, Vice President GORE, and the 103d Congress to reform the operations of the Federal Government, I believe it is important that we not lose track of needs of ordinary Americans. People who must live with the fears and anxieties created by job insecurity, global competition, and rapid technological change clearly feel caught in the middle of these forces. Their faith in Government to help solve these problems is badly shaken.

Two years ago, the President and Congress began a process of deep budget cuts and Government reorganization. Contrary to assertions made about failure, the 103d Congress put forth a $500 billion deficit reduction plan which has more than met its target—it is now estimated that the 1993 deficit reduction plan will result in close to $700 billion in savings. Congress achieved true reductions in Government spending in a manner which lessened the deficit, reduced interest rates, and allowed capital expansion and vigorous economic growth—while containing growth-killing inflation.

What does this mean for middle Americans? Employment levels are at their highest in years. In fact, between January, 1993 and September, 1994, more jobs were created than in the previous 4 years combined. Lower interest payments on the Federal debt meant banks could make loans to small businesses and families at lower rates. Millions of homeowners were able to save thousands of dollars on their home mortgages. Retail sales were up more than four times as compared to the previous 4-year period. By all indications, the 1993 deficit reduction plan continues to give direct benefits to American families.

As the 104th Congress begins its debate to further reduce the deficit and make Government services more effective, it is crucial that the changes adopted by this Congress help those Americans who are still trying to catch up from the excesses of the failed supply-side economic strategies. Mr. Speaker, I commend to your attention to an editorial published earlier this week in the Detroit Free Press, which very succinctly lays out my belief that Congress must fight to protect the interests of our Nation's working families. As this debate about our future begins, let us not forget them.

[From the Detroit Free Press, Jan. 2, 1995]

POVERTY'S TRAP—THE POOR STILL GET POORER, EVEN IN A HEALTHY ECONOMY

When Michigan's unemployment rate is at an unprecedented low, why are so many people in our state still poor?

By 1988, as the supply-side Reagan administration drew to a close, some observers were fretting that the share of national income held by the poorest fifth of U.S. households had dropped to 4.6 percent. But that figure has declined even further, to just 3.6 percent by 1993.

Meanwhile, the richest 20 percent of U.S. households now control nearly half the nation's income, the highest percentage recorded since this statistic has been kept. The numbers also show a deterioration in the proportion of wealth held by people in and around the middle.

Some analysts argue that this divergence reflects an educated, well-paid elite pulling ahead of the rest of American society. But the statistics also may suggest how many jobs are not what they used to be: More jobs are part-time, or temporary, or full-time but without benefits. Even solid jobs can vanish in the blink of an eye; ask your neighbors who work at Kmart and Perry headquarters about that.

Michigan has had plenty of experience with what happens when factory jobs dwindle and corporations downsize. The next job is rarely as good. So it's not surprising that our cities, where these trends come together, are especially afflicted by poverty and the maldistribution of income.

Among the nation's 10 biggest cities, Detroit ranked second only to New York in disparity of income between rich and poor, according to an analysis of 1990 Census figures recently prepared for the New York Times. Detroit's top fifth of earners had the lowest average income among their counterparts in the largest cities. And Detroit's poorest group was an even more distant also-ran in its category.

We dare not underestimate the economic difficulties facing urban residents and people who struggle everywhere else in Michigan. Good jobs may not be where they live. It may take a succession of jobs, or a combination of jobs, to sustain a family. And job loss can hit anywhere, anytime.

A booming overall economy may be a necessary condition for reducing poverty. But as too many Michiganians know, it is not by itself a sufficient condition. Elected officials, and the people who put them in office, ought not forget that.

INTRODUCTION OF THE GUN BAN REPEAL ACT OF 1995

HON. JIM CHAPMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CHAPMAN. Mr. Speaker, today, I am introducing—along with 21 original cosponsors—the Gun Ban Repeal Act of 1995. I encourage Members to join us in cosponsoring this important legislation.

As you know, the 103d Congress enacted the ban on so-called assault weapons and certain ammunition feeding devices by the narrowest of margins. The Gun Ban Repeal Act will undo that well-intentioned, but misguided, approach to combating gun violence in our society.

My legislation will delete from Public Law the provisions which outlaw the specified firearms and ammunition feeding devices. This bill will effect no other provision of the Violent Crime Control and Law Enforcement Act of 1994, and it will do nothing to hinder the ability of the House to enact new crime control legislation. The Act simply serves as the proper vehicle for the majority of the membership of the House—both Republicans and Democrats—to remove the most objectionable gun control measure enacted by the previous Congress.

I urge my colleagues to cosponsor the Gun Ban Repeal Act.

HONORING DR. STEPHEN K. ROBINSON

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. BAKER of California. Mr. Speaker, remarkable Americans deserve recognition by the Congress, which is why I am glad to honor Dr. Stephen K. Robinson for his recent selection as a mission specialist for future flights of the Space Shuttle by the National Aeronautic and Space Administration.

Dr. Robinson is a 1973 graduate of Campolindo High School in Moraga, which is located in my District in the East Bay area of California. Currently a research scientist in the Fluid Mechanics and Acoustics Division of NASA's Langley Research Center in Hampton, VA, Dr. Robinson will serve as one of several mission specialists on future Space Shuttle flights. He will relocate to Houston in March of next year to begin 1 year of training at the Johnson Space Center, during which he will learn how to operate and integrate the dozens of systems used on the Shuttle.

Dr. Robinson graduated from the University of California, Davis in 1978 with a degree in mechanical/aeronautical engineering. He went on to obtain masters and doctorate degrees in mechanical engineering from Stanford University. Dr. Robinson's parents, William and Joyce Robinson, continue to reside in Moraga.

Mr. Speaker, Dr. Robinson deserves high praise for being chosen in a very competitive process. His appointment is testimony to his diligent pursuit of professional excellence, and I am pleased to commend this outstanding East Bay native for his contributions to our country.

HONORING THE GREENPOINT LIONS CLUB AND BUD MADDEN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to the Greenpoint Lions Club, and its newest Melvin Jones Fellow, Bud Madden.

The Greenpoint Lions Club was organized on December 1, 1939, and sponsored by the Brooklyn Lions Club. Past presidents of the Greenpoint Lions Club are practically a Who's Who of Greenpoint.

The Greenpoint Club is one of more than 60 area clubs, comprising a district which includes Brooklyn and Queens. This district is part of a larger district covering New York State and Bermuda. The local district joins with other clubs in 178 countries and geographic areas, making the Greenpoint Lions Club a member of the largest service organization in the world.

Every year the Club raises money and names a Melvin Jones Fellow to help fulfill its motto, ''We Serve.'' And who have they served? The Lions give their steadfast support to the YMCA, Greenpoint Volunteer Ambulance Corps, Little League, Polish National Alliance, churches, Scouts and the local police department, parks and playgrounds. Others in need only have to ask.

The club has recently sponsored the Toys For Tots program, providing gifts, clothing and toys at holidays throughout the Greenpoint community. In addition, old eye glass collection boxes have been filled many times, adding to the club's spirit of service to the needy. Melvin Jones Fellowships continue to grow because of its outstanding contributions, especially to ''Campaign Sight First.''

I ask that my colleagues join me in saluting the Greenpoint Lions Club and Bud Madden for all the of the wonderful work they do. Their tremendous community spirit and efforts to improve the lives of those in need is an inspiration to us all.

TRIBUTE TO ROSE WHITE

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to Mrs. Rose White, a prominent member of the Third Congressional District of Illinois, who celebrated her 80th birthday on December 9, 1994. I would like to share with my colleagues the notable accomplishments that have highlighted Mrs. White's life.

Rose White was born of immigrant parents in Chicago, IL on December 9, 1914. Growing up as one of nine brothers and sisters during the Great Depression, Rose learned the value of hard work and family unity. She demonstrated her commitment to work and family during the Second World War when she juggled both a factory job and three young children while her husband fought the war overseas. After the war, in 1947, Rose and her husband became homeowners and settled with their four children in the Garfield Ridge community on the southwest side.

In addition to being a model homemaker and mother, Rose has always been an active member of the Garfield Ridge community. Her membership in the Democratic Club of Garfield Ridge led to her career as a Judge for the Board of Elections at the 23d Ward, a position she has held for 35 years. Rose is also a member of other various community organizations. For example, Rose is a member of the Garfield Ridge Civic League and has held the offices of Treasurer and Membership Chairperson. She has served as treasurer of the Garfield Ridge Council of Organizations during her 10-year membership. She is a welcome member of the American Legion Auxiliary and local VFW. In the past she has served as an advisor to the Junior Auxiliary of the American Legion and was an active member of the Byrne and Kinzie Elementary School Parent Teacher Organization. Plus, in her spare time, Rose relaxes with the Garfield Ridge Garden Club and volunteers at the Regional Veterans Administration Hospital.

Rose has filled her 80 years of life with family, friends, hard work, dedication, and service to her country and community. She is a model citizen and deserves to be commended for her outstanding accomplishments. I am sure that my colleagues would like to join me in congratulating Mrs. Rose White on her 80th birthday and encourage her to continue in all her endeavors. With best wishes I hope that Rose's life continues to be an adventure and offers her many more pleasant memories.

MAKE PROFESSIONAL BASEBALL SUBJECT TO THE ANTITRUST LAWS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. TRAFICANT. Mr. Speaker, the game of baseball has provided Americans of all ages with a source of entertainment since the first professional game was played in 1869. It truly is the American past-time. But in recent years ugly labor disputes have tarnished the game and hurt baseball fans. One of the reasons why the players have felt compelled to go on strike—including the present strike action—is that the baseball owners are exempt from U.S. antitrust laws.

As a former athlete from the University of Pittsburgh, and a staunch supporter of all working people, I believe that this is a detriment to the great game of baseball. The antitrust exemption has denied the players the same bargaining tools and leverage currently enjoyed by other professional athletes. While I won't even attempt to characterize athletes whose average salary is well over $500,000 a year as victims, they should be afforded the same rights and bargaining opportunities as other professional athletes.

Clearly, the American people aren't concerned with the details of the dispute. They don't care about salary caps, free agency or arbitration. All they want is for the bickering and posturing to end, and for the umpires to yell ''Play Ball!'' Since the players went on strike last August, all efforts to mediate the dispute have failed. Clearly, the owners have indicated that they no longer have the best interests of baseball in mind and they have lost the trust Congress placed in them back in 1922 when they moved to exempt Major League Baseball from U.S. anti-trust laws. Removing this exemption may be the only way to end the strike and save the 1995 season.

That's why today I am introducing the Professional Baseball Antitrust Reform Act of 1995. This bill provides that professional baseball teams and leagues composed of such teams shall be subject to all antitrust laws. The bill also states that the Congress finds the business of organized professional baseball is in, or affects interstate commerce, and therefore the existing antitrust laws should be amended to reverse the result of the decisions of the Supreme Court of the United States, which exempted baseball from coverage under those laws.

In introducing this legislation, I am not professing to take sides in the dispute. I believe both parties share some of the blame for the sorry state of the game of baseball. My desire is to force the union and the owners to sit down, negotiate in good faith, and come to an agreement that both sides can live with. Professional football and basketball are both subject to U.S. anti-trust laws. Interestingly enough, both sports are doing extremely well financially, both sports have salary caps—and

player income has never been higher. Professional baseball players and owners should stop posturing and take a look at basketball and football (it's not hard to do—with the National Hockey League owners locking the players out there's not much else for them to watch).

Owners take heed: enactment of my legislation won't bankrupt the game nor would it prevent you from imposing a salary cap. Players: don't think that this bill will be a panacea for all your problems. Bargain in good faith and remember that most Americans would give their right arm to be a bench warmer for a Major League team and earn $150,000 for 6 months work. Think about it.

Mr. Speaker, I urge all of my colleagues to co-sponsor the Professional Baseball Antitrust Reform Act of 1995.

HONORING THE LIFE OF ELIZABETH GLASER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to one of the most incredible women I have ever known; and to mourn her premature death.

On December 4, Elizabeth Glaser's life was cut short by complications from the AIDS virus. Infected from a blood transfusion, Elizabeth dedicated the last years of her life to heightening our awareness of this horrible disease. Elizabeth inspired us all when she spoke at the 1992 Democratic national convention about her experiences. In a speech which moved all those who saw it, she pleaded with the world not to forget about the youngest victims of AIDS, including her two children.

Struck by the lack of attention to children affected by the HIV virus, Elizabeth helped found the Pediatric AIDS Foundation. Dedicated to the memory of her first daughter Ariel, this foundation raised millions of dollars for pediatric AIDS research, and has provided support to dozens of children and families affected by the disease.

But more than anything, Elizabeth taught us that life's joy does not have to end, even under the most horrible of circumstances. Try as it might, AIDS never robbed Elizabeth of love for life, nor her desire to help those in need. Speaking about her daughter, Elizabeth once said, ''She taught me to love when all I wanted to do was hate. She taught me to help others when all I wanted to do was help myself.''

Mr. Speaker, I would ask that my fellow colleagues not forget the lessons of Elizabeth Glaser, and to join me in sending our deepest condolences to her husband Paul and son Jake. We have a responsibility to fight this horrible disease on all fronts, and to never abandon its victims. Elizabeth Glaser helped us realize this fact, and now it is our job to carry her legacy forward.

THE INTRODUCTION OF H.R. 16

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. DINGELL. Mr. Speaker, half a century ago, my father introduced into the House a bill providing for a program of national health insurance. In each of the past 18 Congresses I have introduced this bill, both as a testament to the wisdom of the 1943 Murray-Wagner-Dingell bill and as a hopeful harbinger of an enlightened change in our Nation's approach to health care. In almost every decade since, hopes were high that such a program might be enacted.

The bill contains the seeds of the essential elements of a viable national plan: Universal coverage, cost containment, malpractice reform, and a fair financing system that puts competitiveness first.

For fully 40 years, the introduction of this bill has reminded us of the justice, wisdom, and necessity of national health insurance. The consequences of our inaction are apparent. No more families need be ruined, nor more industries destroyed, for our imperatives to be clear. Let us most forward, with the lessons of history as our guide, to finally enact national health insurance.

AMERICAN DREAM RESTORATION ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. CRANE. Mr. Speaker, today I have the distinct honor of introducing the American Dream Restoration Act as the bill's principle sponsor.

As 1 of 10 bills derived from the Contract With America, this legislation will enable American families to use more of their hard earned income to save, to invest, to pay for their children's education, to buy a home, to pay for medical expenses, or to use in whatever way they so desire. The American Dream Restoration Act is divided into three sections, and I would like to briefly explain each provision for my colleagues.

The first section provides for a $500 per child tax credit for dependents under the age of 18. The full credit would be available to families with adjusted gross incomes under $200,000.

The bill's second provision eliminates what is referred to as the marriage penalty. Under the current Internal Revenue Code, many married couples pay higher taxes than they would by filing two individual returns. In order to end this inequity, families currently subject to the marriage penalty would be entitled to a tax credit.

The final provision of the bill is referred to as the American dream savings [ADS] account and would establish a new back-ended individual retirement account [IRA]. The ADS account would allow a nondeductible contributions of up to $4,000 for a married couple filing a joint return—$2,000 for an individual—beginning in 1996. Tax free distributions for first-time home purchases, education, medical expenses, and retirement would be allowed if the money is held in the account for at least 5 years.

Mr. Speaker, it comes as no surprise to American taxpayers to find that when you combine their Federal, State, and local taxes, they are currently being taxed at all-time record high levels. Tax relief for American families is long overdue. With a new majority in Congress, we now have the opportunity to change direction. Indeed, we have a mandate from the voters to dramatically change direction. This is a mandate that no one can ignore. I look forward to working with my colleagues, both Democrats and Republicans, toward the goal of making the American Dream Restoration Act a reality.

I would like to close this statement on a personal note. In the years that I have served in Congress, I have fought for tax relief, only to see it thwarted or reversed at a later date. I have been true to my philosophy of less spending and lower taxes, only to see the majority in Congress reject this philosophy year after year. I cannot possibly convey to my colleagues what it is like for me, after 25 years in which my political views have been the minority in the House of Representatives, to now have this opportunity to change the direction of Congress. Congress has been on a course that has been destroying the economic well-being of the family and it is absolutely critical that we change course. I am honored to serve in this Congress and play a part in the effort to make a change.

HONORING THE ST. NICHOLAS NEIGHBORHOOD PRESERVATION CORPORATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mrs. MALONEY. Mr. Speaker, I rise today in recognition of the 19th anniversary of the Saint Nicholas Neighborhood Preservation Corp.

St. Nicks, as it is commonly known, came into existence in response to a catastrophic fire which left 18 families homeless. Through the spirit of volunteerism, the families were resettled and the group began looking at rebuilding on the vacant lot and rehabilitating an adjacent building. From that point in 1975, St. Nicks has flourished and grown under the guidance of the Pratt Center for Community and Environmental Development into an organization that provides comprehensive services to revitalize and redevelop the Greenpoint/Williamsburg areas of Brooklyn.

Its 19 years of experience with Brooklyn's housing issues has allowed St. Nicks to accomplish some truly amazing feats. It has redeveloped or constructed over 25 units of low- and moderate-income housing, including senior housing, housing for homeless families, and two-family homes. St. Nicks also assists over 300 families and individuals each year with tenant advocacy services and homelessness prevention programs.

In addition, St. Nicks provides economic development programs in an effort to revitalize the economic base of the Greenpoint and Williamsburg areas of Brooklyn. The services provided by St. Nicks include job training, security

patrols, and development of an industrial park day care center.

Mr. Speaker, the St. Nicholas Neighborhood Preservation Corp. is the type of organization that we would all like to have behind us in times of need. It is incredible to think that a horrible fire would give birth to such a wonderful organization, and I ask that my colleagues join me in saluting the 19th anniversary of St. Nicks.

TRIBUTE TO BOB KRIEBLE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to Bob Krieble, a gentleman whose extraordinary humanitarianism and dedication to the development of democracy and capitalism in the Russian Republics is truly commendable. As founder of the Krieble Institute, Bob Krieble has committed his vast expertise and resources to teaching the people of the Russian Republics the fundamentals of success in a Democratic and Capitalist society. In fact, Bob Krieble has been responsible for training literally thousands of individuals in the basics of developing businesses and promoting economic growth. To this day, Bob Krieble travels extensively for this purpose, conducting seminars designed to educate the Russian leadership and share his knowledge of the principles of a capitalist economy. Indeed, Bob Krieble's knowledge and experiences were well received in his recent testimony before the Helsinki Oversight Committee.

As the 104th Congress commences, Members should take note of Bob Krieble's efforts as we strive to reestablish a bipartisan foreign policy designed to spread democracy and economic freedom throughout the Russian Republics. His work is truly representative of the commitment needed to ensure the successful transition to democracy and capitalism in the Russian Republics.

Mr. Speaker, a short time ago, remarks entitled ''The cold warriors'' were delivered by radio commentator Paul Harvey in recognition of the philanthropy of Bob Krieble. This piece was broadcast on over 2,000 radio stations, including the ABC radio network. I respectfully submit this commentary and request that it be entered into the RECORD.

THE COLD WARRIORS

RADIO COMMENTARY OF PAUL HARVEY

The Cold War did not end by default. It was fought and won by the persistent efforts of some uncommon Americans.

The late Jerry Wiesner was a casualty of that war. His shuttle diplomacy resulted in a stroke which should surely earn him a Purple Heart.

The subsequent efforts of Bob Krieble merit a Silver Star.

Thirty-five years ago, with money borrowed from friends and neighbors, he started the Loctite Corporation. With inventiveness, diligence and long hours he built Loctite into a Fortune 500 Corporation owning scores of patents in silicones and anaerobic adhesives.

Krieble was seventy—what many consider retirement age—when he undertook a more enormous challenge: to re-educate the communist countries of the old USSR to social democracy and economic capitalism.

His Krieble Institute has since trained more than 10,000 students from the former Soviet Empire in how to start a business, how to distribute goods and services, how to run a public office.

Bob Krieble is bankrolling this training and dispatch of pragmatic missionaries mostly out of his own pocket.

His meetings with world leaders including the Russian leadership continue at a frenetic pace. At 78 his missionary zeal and energy are undiminished.

And he has recruited other retired executives for his seminar trips, re-mobilizing the brain power that formerly ran such corporations as Otis Elevator, Thibaut de St. Phalle and the U.S. Export-Import Bank.

Krieble's ''trainers'' share their vast business and political experience with struggling entrepreneurs and democratic leaders in the now fragmented Russian Republics ''freely.'' They even pay their own travel expenses.

In one after another of the world's backward nations ''white missionaries'' are being excluded.

But Krieble's capitalist crusaders are welcomed everywhere.

While government agencies imagine that a transfusion of dollars will resurrect democracies which never were . . .

Bob Krieble and his fellow ''ambassadors'' are sharing their lifetimes of experience in the spawning and care and feeding of competitive capitalism.

The ''way of life'' which has prospered us above all others is being introduced to a generation that had been taught that capitalism was their enemy.

Bob Krieble will tell you that his efforts are not entirely altruistic. With the awesome weapons now available he does not want his grandchildren to live in fear of incineration.

And so he goes . . .

Airliner to airliner carrying his luggage . . .

Shuttling around the world in a tedious pilgrimage . . .

Educating all who will listen get off the self-pity-pot and get on their feet and reach for the stars.

TRIBUTE TO JOHN T. STIBICH

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to Mr. John T. Stibich, former chief of detectives with the Chicago Police Department, who retired this month after 38 yeas of service. I would like to share with my colleagues Mr. Stibich's numerous accomplishments which made him an invaluable member of the Chicago Police Department.

Mr. Stibich became a Chicago police officer after serving 4 years in the U.S. Navy. He started as a patrol officer in 1956 and was quickly promoted into the detective division. His strong leadership abilities and tremendous dedication earned him several promotions and prestigious positions throughout his years on the force. For example, he has served as commanding officer of area 1 Special Operations Group, commanding officer of area 4 Homicide/Sex Section, commander of the 20th district, Commander Detective Division area 3, deputy chief of Detective Division field group A, and the list goes on. For the past 3 years, Mr. Stibich has served as chief of detectives, coordinating all investigations and operations of the Detective Division for the city of Chicago. He was also responsible for the implementation of a $52 million budget and the supervision of over 1,000 sworn and civilian members of the Chicago Police Department.

Mr. Stibich is a natural leader. He has always been a strong role model for rookie Chicago police officers. He has even instructed courses at the Chicago Police Academy. Mr. Stibich will be greatly missed by his colleagues in the Chicago Police Department. He will be equally missed by the city of Chicago. The city is extremely grateful for the service and protection Mr. Stibich has provided over the past 38 years. Mr. Stibich should be proud of the years of service he has dedicated to the community.

I am sure that my colleagues would like to join me congratulating Mr. John T. Stibich for his exemplary service over the past 38 years. Because of the efforts of dedicated individuals who, like Mr. Stibich, place the safety and well-being of others above their own, our Nation is a better place to live. I thank him for a job well done.

PROTECT THE FLAG

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, today, I am introducing a constitutional amendment to prohibit desecration of the U.S. flag. Many will no doubt recall the furor when the Supreme Court in 1989 overturned the Texas conviction of Gregory Johnson and declared the Texas flag-burning statute unconstitutional. The Congress responded weakly, declining to pass a constitutional amendment and opting instead for a new Federal statute which prohibited desecration of the American flag. To no one's surprise, this statute was also declared unconstitutional by the U.S. Supreme Court. As a result, burning and trampling upon our Nation's most revered symbol is now constitutionally protected conduct.

The Court based its decision on first amendment freedom of expression. I believe strongly in the first amendment and in its protections, but there are recognized exceptions to the first amendment. Not every act of expressive conduct is protected. Libel and slander, obscenity, copyright and trademark laws, classified information, and perjury are but a few acts of expression which fall beyond the first amendment. So, too, should flag-burning fall beyond the first amendment. To paraphrase Chief Justice Rehnquist, flag burning is a grunt which is designed not so much to communicate but to antagonize.

Throughout history, the U.S. flag has been revered as the embodiment of the liberty and freedom which have become the hallmark of our Nation. This casual treatment of our Nation's most revered symbol is an affront not only to the flag, but to the ideals which stand behind it. It is an affront to the people who have served our great country in all capacities, but especially to those who have fought and died for America.

Flagrant and public abuse of the flag should not be considered as symbolic speech under the first amendment, and such abuse should not be tolerated. I hope that the mere fact that

5½ years have passed since the Johnson decision will not lessen enthusiasm for protecting Old Glory. I strongly urge my colleagues to join me in passing a constitutional amendment which would give the States and the Federal Government the authority to prohibit desecration of the American flag.

TRIBUTE TO DR. RUSSELL KIRK

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thusday, January 5, 1995

Mr. CAMP. Mr. Speaker, I rise on this historic day to honor a man whose life was devoted to educating and promoting excellence in others. For over 40 years, Dr. Russell Kirk of Mecosta, MI, one of the leading conservative thinkers, was a beacon of light in a confused and muddled world. The sadness of his passing is tempered only by his tremendous contributions to academics and philosophy. His writings and lectures enlightened, educated, and entertained the many people who read his essays or attended his speeches. His ideas and the influence they generated will be felt for generations.

Dr. Kirk received his Bachelor's degree from Michigan State University and his Master's degree from Duke University. He had a distinguished career as a scholar, philosopher, and educator during which 12 universities conferred upon his honorary doctorates. Dedicated to the truth and a firm believer in its power and boundaries, Russell sought to promote verity through his many writings as well as debate and discussion.

Dr. Kirk was a great scholar and a strong advocate of education. He authored over 30 books and hundreds of political essays which helped define the conservative movement. As founder and editor of the ''University Bookman,'' Dr. Kirk provided a forum for ideas and debate and served to educate readers while constantly seeking the truth.

Dr. Kirk's books and essays received high critical acclaim throughout the world and have sold over 1 million copies. Personally lecturing at nearly 500 colleges and universities, he sought to challenge students in order to open their minds to new ideas. His landmark publication, ''The Conservative Mind,'' published in 1953, stands as a benchmark for conservative ideas and sparked the conservative movement which continues to influence leaders today.

During his career, Dr. Kirk received various honors such as the Presidential Citizens Medal, which was conferred upon him by President Ronald Reagan in 1989, as well as the Ann Radcliffe Award of the Count Dracula Society for his Gothic Fiction. He was also honored as the only American to earn the highest arts degree of the senior Scottish University and served as the President of the Wilbur Foundation, the Educational Reviewer, Inc., and as editor of the Library of Conservative Thought for Transaction Books. In addition, he was a Guggenheim fellow and a distinguished scholar of the Heritage Foundation.

Russell was a strong, quiet man who was committed to his family and friends. He and his wife, Annette, worked side by side as editors of the ''University Bookman'' while raising four daughters who continue in his excellent tradition. His dedication to education and commitment to family are the cornerstones of our Nation.

Over the years, Dr. Kirk enjoyed success professionally as an academic and as a published scholar in pursuit of knowledge and wisdom and privately as a husband and father. He served his fellow academics well and many of them have moved on but continue the pursuit of truth, justice, order, and freedom. His family continues to grow and pursue his love of education and debate.

It is work such as Dr. Kirk's that inspires us all to achieve the best we can, and to promote these qualities in others. Mr. Speaker, I know you will join my colleagues and I in honoring the work of Dr. Russell Kirk and the legacy of ideas and discussion he has left for us all.

ALTERNATIVE MINIMUM TAX LEGISLATION

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, I would like to bring to your attention legislation that I am introducing today to correct a little-known provision in the Tax Code that has caused a great deal of hardship and frustration to certain farmers in this country. To make matters worse, this tax provision occurred at a time during the late 1970's and 1980's when farmers where experiencing hard times economically due to the farm crisis of that period. Today, I am introducing legislation proposing that the effective date of section 13208(b) of the Consolidated Omnibus Budget Reconciliation Act of 1985 [COBRA] be changed from 1981 to 1978.

Varying domestic and international economic conditions in the late 1970's and early 1980's contributed to the worst farm crisis this country has seen since the Great Depression. Many farmers, through no fault of their own, were forced into insolvency. During this time, there was speculation that the family farm would soon become extinct, and that the face of American agriculture would be forever changed.

Farmers who became insolvent were often forced to sell their farms under foreclosure. All of the proceeds of the sale went to the creditors; sometimes, despite the sale of the farm, they remained in debt. Yet the sale of the farm was treated as a preference item and, therefore, triggered the Alternative Minimum Tax [AMT].

As we know, Congress enacted the individual AMT in 1978 to take effect January 1, 1979. The AMT applied to all capital gains regardless of whether the sale was voluntary or involuntary. What this meant for insolvent farmers was that these folks were suddenly hit with a large tax bill that they owed—a bill which they could not pay—on what may be termed as ''ghost income.''

Congress recognized this gross inequity in the Tax Code and the provision was amended in the 1985 COBRA law. Farmers who sold or exchanged their farms to their creditors in order to cancel their debt were allowed to reduce the amount of their tax preference. However, for some reason, the law afforded relief only to land transfers made after December 31, 1981.

This effective date left a 3-year open window, from 1979 through 1981 during which the AMT was in full force. The farmer who suffered the misfortune of bankruptcy in December of 1981 was in a very different and difficult position than the farmer who held on for just 1 additional month. The latter individuals are covered by COBRA's relief; the former individuals suffer the burden of an unfair tax.

According to an estimate from the Joint Committee on Taxation, enactment of this date change would cost less than $5 million. This is a proposal which would be enacted in the interest of fairness.

INTRODUCTION OF TAOS BOTTLENECK LEGISLATION

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. RICHARDSON. Mr. Speaker, I am pleased to rise today to introduced legislation to return nearly 765 acres of the Wheeler Peak Wilderness to management by the Taos Pueblo as part of the Blue Lake Wilderness.

The nearly 765 acre bottleneck track is one of the most sacred sites for the Taos Pueblo people: it has had religious significance for these people for thousands of years. In fact, the area we call the bottleneck is known as the Path of Life Lands to the Pueblo people because it contains their most sacred religious lands. Additionally, the Taos Pueblo was recognized by the United Nations as a World Heritage Site in 1992 in recognition of its status as one of the last remaining pre-Columbian civilizations in North America.

Legislation signed by President Richard Nixon in 1970 returned to the Taos Pueblo all lands that had been seized by the Federal Government with the exception of the bottleneck tract. Inclusion of the bottleneck lands would have decreased the acreage of the adjacent Wheeler Peak Wilderness below the legal limit required for wilderness designation so the land was not returned to the Pueblo.

The Wheeler Peak Wilderness has subsequently been expanded several times and the transfer of the 764.33 acres of the bottleneck tract would not affect the wilderness designation of the Wheeler Peak Wilderness. My legislation would end this saga and bring to an end the responsibilities of the Federal Government to return lands to the Taos Pueblo.

The land transfer to the Pueblo effected by this bill will enable the Pueblo to guard against the public intrusions that are presently occurring on surrounding Indian lands and sacred sites. These intrusions have occurred during sacred religious activities and are wholly inappropriate for such an area. Unfortunately, the Pueblo is powerless to prevent such intrusions without the return of the land to their management and jurisdiction.

Under the terms of the bill, the bottleneck lands would be used for traditional purposes only, such as religious ceremonies, hunting, fishing, and as a source of water, forage for domestic livestock, wood, timber and other natural resources.

Enactment of this legislation will not result in the transfer of the land out of wilderness status. The Pueblo will manage the land as wilderness under strict requirements allowing

only tribal access to the area for the specific activities, consistent with the Wilderness Act, which I have just described.

In the past, this legislation has been supported by the entire, bipartisan New Mexico congressional delegation and by a broad coalition of environmental organizations including the Wilderness Society, the Audubon Society and the Sierra Club at the local, State and national levels.

This legislation has been passed by the full House in previous Congresses, yet never enacted into law. Throughout this period, the Taos Pueblo has continued to suffer the indignity of public intrusions on their sacred land. It is time to put this long, sad story behind us by enacting this legislation. It is time to return the bottleneck to the Taos Pueblo people.

I look forward to working with my colleagues on both sides of the aisle and in both Chambers to ensure that this saga is brought to an end and this bill is enacted into law in the 104th Congress.

The full text of the bill follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND TRANSFER.

(a) TRANSFER.—The parcel of land described in subsection (b) is hereby transferred without consideration to the Secretary of the Interior to be held in trust for the Pueblo de Taos. Such parcel shall be a part of the Pueblo de Taos Reservation and shall be managed in accordance with section 4 of the Act of May 31, 1933 (48 Stat. 108) (as amended, including as amended by Public Law 91–550 (84 Stat. 1437)).

(b) LAND DESCRIPTION.—The parcel of land referred to in subsection (a) is the land that is generally depicted on the map entitled ''Lands transferred to the Pueblo of Taos—proposed'' and dated September 1994, comprises 764.33 acres, and is situated within sections 25, 26, 35, and 36, Township 27 North, Range 14 East, New Mexico Principal Meridian, within the Wheeler Peak Wilderness, Carson National Forest, Taos County, New Mexico.

(c) CONFORMING BOUNDARY ADJUSTMENTS.—The boundaries of the Carson National Forest and the Wheeler Peak Wilderness are hereby adjusted to reflect the transfer made by subsection (a).

(d) COMPLETION OF TRANSFER.—The Congress finds and declares that the lands to be held in trust and to become part of the Pueblo de Taos Reservation under this section complete the transfer effected by section 4 of the Act of May 31, 1933 (48 Stat. 108) (as amended, including as amended by Public Law 91–550 (84 Stat. 1437)).

SCHOLARSHIPS NEED TAX EXEMPT STATUS

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, teachers in every State compete annually for the prized Christa McAuliffe Fellowship. This prize, named after the teacher who gave her life in the explosion of the space shuttle *Challenger*, was created by Congress in 1986. The fellowship is given to outstanding teachers across the country to improve their knowledge and teaching skills and to use innovative methods in their classrooms to teach their children.

When the Congress created the Christa McAuliffe Fellowship, it had the good sense to exempt these moneys from taxation: The fellowship is not truly personal income and it should not be treated as such. Moreover, if the fellowship is treated as personal income, it could well push the recipient into a higher tax bracket than he or she would normally fall.

For some reason, we allowed the tax exclusion of the Christa McAuliffe Fellowship to expire in 1990. Thus, if a teacher receives a fellowship and devotes those funds to school projects, he or she must pay the taxes out-of-pocket. One recipient told me she did not know of the tax implications at the time she applied for the fellowship. Had she been aware of the personal costs she would incur, she would have seriously reconsidered applying for the fellowship in the first place.

Today, I am introducing legislation to restore prior law and once again exclude the Christa McAuliffe Fellowship from the recipient's income. Taxing these fellowships doesn't help teachers, it doesn't help students, and it doesn't help education as a whole.

MS. SANDY JASKULSKI, 1994 ST. FRANCIS CITIZEN OF THE YEAR

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. KLECZKA. Mr. Speaker, I rise today in recognition of Ms. Sandy Jaskulski, who has been named the 1994 City of St. Francis ''Citizen of the Year''.

Ms. Jaskulski was chosen for this honor in recognition of her commitment to family, church, and community. She has been a member of the St. Francis Association of Commerce for the past 14 years and serves on its board of directors. She is a current member of the council of independent managers. She has been an active member of the Cudahy VFW auxiliary for 20 years. In addition, she has been an active volunteer on behalf of the Metro Charitable Foundation, the American Cancer Society, and various activities at the Sacred Heart of Jesus Parish.

I ask my colleagues to join me in recognizing Ms. Jaskulski's remarkable contribution to the citizens of the city of St. Francis and in offering to her our sincerest congratulations.

FOOD STAMP PROGRAM SHOULD MEET NUTRITIONAL NEEDS

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, today I am introducing legislation that would allow people who use food stamps to balance their diets and purchase vitamin and mineral nutritional supplements.

While it is possible to get adequate levels of most nutrients through careful selection of foods, the fact is that most people don't. The facts speak for themselves. A Government survey of 21,000 people showed that not a single person obtained 100 percent of the recommended dietary allowance [RDA] for each of the 10 nutrients. The National Cancer Institute recommends that people eat at least five servings of fruits and vegetables a day, but less than 10 percent of the U.S. population actually consumes five servings of these protective foods daily.

Last year, with overwhelming public support, the Congress passed the Dietary Supplement Health and Education Act of 1994. This legislative action was necessary to protect consumers' right of access to safe dietary supplements. Because of the growing scientific evidence of important health benefits from supplements, both established and potential, I believe food stamp recipients should be allowed the same access as other Americans to supplements containing essential vitamins and minerals.

Of course, the Food Stamp Program is our Nation's first line of defense against hunger. Each month, approximately 27 million low-income Americans rely on the Food Stamp Program to meet their basic nutritional needs. The purchase of vitamin and mineral supplements would complement the healthy and nutritious foods currently bought by food stamp recipients.

Vitamins and minerals are essential nutrients needed for good health and many vital functions. They can be found in conventional foods, either naturally or through fortification and enrichment, and in the form of supplements. Many millions of Americans use vitamin and mineral supplements every day. However, people who rely on food stamps to purchase their daily sustenance are not allowed to use their food stamps for supplements.

My legislation is simple and would permit vitamin and mineral supplements to be purchased with food stamp coupons. I view this legislation as a positive step forward in providing low-income Americans greater flexibility in meeting their nutritional needs through the use of wholesome and healthful vitamin and mineral supplements. I urge all of my colleagues to take a close look at this legislation and consider the positive health benefits that vitamin and mineral supplements can add to a healthy diet.

NOTCH LEGISLATION IS IN ORDER

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, I rise today to introduce legislation of the utmost importance to over 6 million of our Nation's senior citizens. My bill, the Notch Baby Act of 1995, would create a new alternative transitional computation method for those born between 1917 and 1921, making a phase-in uniform over a 5-year period. The Notch Baby Act of 1995 would put to rest the notch issue once and for all.

As you may know, the Commission on the Social Security Notch Issue recently released its report on this issue. The Commission concluded that ''no remedial legislation is in order.'' I strongly disagree.

In its report, the Commission offers an example of two workers who retired at the same age with the average career earnings. One

was born on December 31, 1916, and the other on January 2, 1917. If both retired in 1982 at age 65, the difference in benefits was $110 a month.

I urge my colleagues in the House to take a close look at the Notch Baby Act of 1995. This legislation is an affordable remedy for the notch injustice that many in Congress have tried to ignore, hoping the problem would just go away. It won't.

Seniors deserve an end to the barrage of mailings and fundraising attempts made on behalf of the Social Security notch. Seniors deserve an end to the repeated congressional delays and stalls. Seniors deserve an end to the uncertainty. Seniors deserve action by the 104th Congress. Notch remedial legislation is in order.

GUARANTEE THE HYDE AMENDMENT

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 5, 1995

Mr. EMERSON. Mr. Speaker, in the 103d Congress, the Freedom of Choice Act loomed on the horizon, threatening to write off the lives of millions of unborn children through unlimited abortion on demand. In November, the voters spoke. Across the Nation they showed that they feel that this Nation is on the wrong track. So today, I rise to introduce legislation which will reaffirm the most basic of human rights—the right to life.

One bill I am introducing will amend the Constitution to recognize the right to life and give that right express constitutional protection. The second bill I am introducing on this topic will essentially codify the Hyde amendment.

Since 1981, the House—through the Hyde amendment—has steadfastly stood by its stated belief that abortion should not be federally funded. The sole exception to the Hyde amendment is a circumstance in which the life of the mother would be endangered by the pregnancy or the birth. The House should continue this policy because the vast majority of Americans do not support abortion on demand.

I stand firmly committed to protecting the rights of the unborn. There is a certain dignity in human life which we must respect, for it is the foundation of each and every basic value we hold dear. The Federal Government should not fund a practice which directly contradicts our respect for life.